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ABSTRACT

The report is a compilation of replies by 61 member States of the International Labour Office to a questionnaire concerning paid educational leave prepared in anticipation of the 58th Session of the International Labour Conference. A brief section on general observations precedes the responses to specific items on the questionnaire, the relevant law and practice in different countries being of particular interest. A section on proposed conclusions is offered as a possible basis for future draft instruments. The questionnaire proper is included in Part 1 of the report (CE 000 523). (AG)

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International Labour Conference
58th Session 1973

Report VI (2)

Paid Educational Leave

U.S. DEPARTMENT OF HEALTH,
EDUCATION & WELFARE
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International Labour Conference
58th Session 1973

Report VI (2)

Paid Educational Leave

Sixth Item on the Agenda

International Labour Office
Geneva 1973

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CONTENTS

	Page
INTRODUCTION	1
REPLIES FROM GOVERNMENTS AND COMMENTARIES	3
PROPOSED CONCLUSIONS	61

INTRODUCTION

The Governing Body of the International Labour Office, at its 183rd Session (May-June 1971), decided to place on the agenda of the 58th (1973) Session of the International Labour Conference an item entitled " Paid Educational Leave ".

In accordance with article 39 of the Standing Orders of the Conference, concerning the preparatory stages in the double-discussion procedure, the Office prepared a preliminary report [1] intended to serve as a basis for the first discussion of the question. That report, after giving a summary of the antecedents to the Governing Body's action, examined the relevant law and practice in different countries. It was accompanied by a questionnaire and was communicated to the governments of States Members of the ILO, which were asked to send their replies so as to reach the Office not later than 30 September 1972.

When the present report was prepared, the Office had received replies from the Governments of the following 61 member States: Algeria, Argentina, Australia, Austria, Belgium, Brazil, Bulgaria, Burundi, Byelorussian SSR, Canada, Central African Republic, Colombia, Cyprus, Czechoslovakia, Dahomey, Egypt, El Salvador, Ethiopia, Finland, France, Federal Republic of Germany, Ghana, Greece, Hungary, India, Indonesia, Iraq, Ireland, Japan, Jordan, Kenya, Khmer Republic, Libyan Arab Republic, Malawi, Malaysia, Malta, Mexico, Morocco, Netherlands, New Zealand, Nigeria, Norway, Pakistan, Romania, Senegal, Singapore, Spain, Sudan, Sweden, Switzerland, Syrian Arab Republic, Trinidad and Tobago, Tunisia, Ukrainian SSR, USSR, United Kingdom, Upper Volta, Uruguay, Venezuela, Republic of Viet-Nam, Yugoslavia.

The present report has been prepared on the basis of the replies received, the substance of which is reproduced [2], together with brief commentaries, in the following section; the Proposed Conclusions are given at the end of the report.

If the Conference considers it advisable to adopt one or more international instruments concerning paid educational leave, the Office will prepare, on the basis of the Conclusions as approved by the Conference, one or more draft instruments, as the case may be, which will be submitted to governments. It will then be for the Conference to take a final decision in the matter at a future session.

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[1] ILO: *Paid Educational Leave*, Report VI (1), International Labour Conference, 58th Session, Geneva, 1973 (Geneva, 1972).

[2] To meet the wishes of the Conference an effort has been made to present the replies as concisely as possible.

REPLIES FROM GOVERNMENTS AND COMMENTARIES

This section gives the substance of, first, the general observations and then the observations on the questions to which governments were asked to reply; each question is reproduced and followed by a list indicating the governments that replied to it and the nature of the reply. Asterisks denote those governments which made observations the substance of which is reproduced; observations that may be regarded as equivalent to a simple affirmative or negative reply to a question or part of a question are not reproduced. Where a government deals with several questions in one reply, the substance of its reply is given under only one of these questions and is referred to in footnotes to the other questions covered by the same reply. The replies are followed by short Office commentaries referring to the corresponding Point or Points of the Proposed Conclusions at the end of the report.

Of the 61 governments that sent replies to the Office, 6 (Brazil, Canada, India, Indonesia, Jordan, Uruguay) did not reply in detail to the questionnaire. The substance of their replies has been included under "General Observations" or under question 1.

Some governments supplied information about their national law and practice in their replies. This information, which is very useful for the work of the Office, has been reproduced only where essential to an understanding of the reply. Furthermore, several governments stated that their replies had been drawn up after consultation with the most representative employers' and workers' organisations, or made known in their replies the opinions expressed on certain points by these organisations. Other governments communicated separately the opinions of employers' and workers' organisations; in this case these opinions have not been included in the present report.

General Observations

Australia. While the Government agrees that the various aspects of the subject of paid educational leave should be discussed by the International Labour Conference, it considers that the approach adopted in the questionnaire is not realistic or, indeed, conceptually sound.

The approach envisaged in the questionnaire is apparently to bring together a range of different issues and objectives in the fields of vocational training, managerial and technical training, retraining, general education including adult education, literacy programmes, trade union education, social and cultural education and to seek to relate them to the topic of "paid educational leave" in order to formulate common principles on this question. It is doubtful whether "paid educational leave" can really be considered in terms of a national policy covering, in some omnibus fashion, the various types of education and training which it is apparently intended to cover and separate from the evolution of

" national policies " in these particular areas. Vocational, managerial and technical training and retraining are surely conceptually different both in purpose and approach from trade union education. (In this respect is the item intended to cover trade union education both for representatives employed within the undertaking and for full-time trade union officials?) These can, moreover, be distinguished from other types of education and training, e.g. literacy programmes, social, civic and cultural education. Different sorts of issues and principles are involved in these different types of education or training, and the approach adopted in relation to the conditions under which paid leave is granted, the duration of leave, the financing of courses and of the employees' expenses, etc., will differ. In some cases, for example vocational training, general education, managerial and technical training and retraining, issues relating to paid educational leave arise in the context of over-all national employment, education and training policies. The primary issues are those of the relationship between employment and education and training rather than those of paid educational leave *per se*. In other cases, for example trade union education, the issues regarding the conditions for granting paid leave and its duration, course curricula, finance, etc., arise primarily in an industrial relations context.

The second doubt is whether it is feasible to draft an instrument covering all aspects of this subject which would at the same time take account of the differing educational, social and economic considerations pertaining in member countries, and which would provide worth-while guidance. The applicability of unrestricted paid educational leave, for example in countries with high rates of unemployment and underemployment, or where there is a continuing over-supply of university graduates in certain faculties, is open to question.

There is also concern that raising the question of " life-long education and training " may involve the ILO in matters of principle which extend beyond its mandate and which require detailed consideration in a much wider context than that of paid educational leave. The acceptance of the concept of " life-long education and training " necessitates the adoption of arrangements which are much more comprehensive and far-reaching than simply " paid educational leave ".

It would be preferable that this subject (or perhaps it is more accurate to refer to these subjects) be dealt with by means of adopting observations and conclusions which would focus attention on the various types of paid educational leave and their relationship to the objectives of the various kinds of education and training as outlined above.

Since the approach outlined above differs from that adopted in the questionnaire, the Government does not propose to comment on each of the questions and replies only to questions 8, 10, 13, 15, 20, 21 and 22.

Canada. In Canada the subject-matter of the proposed instrument on paid educational leave would fall partly within federal and partly within provincial jurisdiction. The Canada Department of Labour has undertaken preliminary discussions with the departments of labour of the Provinces and further discussions are contemplated. The following observations are of a preliminary nature and the Government abstains at this time from giving specific answers to the individual questions.

At present, there is no legislation in Canada, or any declaration of governmental policy (federal or provincial), regarding educational leave as such. On the other hand, the federal Government is involved in close co-operation with the Provinces in training and retraining programmes directed towards the goals of Canada's manpower policy. Such programmes may fall within the broad spectrum of paid educational leave as described in question 5 *(b)* of the questionnaire.

After mentioning voluntary arrangements in Canadian undertakings and collective agreements providing for paid educational leave, the Government notes that the questionnaire does not include a proposal for a definition of paid educational leave; however, various objectives of paid educational leave are listed in question 5 and these are obviously all of importance. Nevertheless, when considering this subject a distinction can be made between, on the one hand, educational objectives which are of specific usefulness to the employer and to the enterprise as a whole as well as to the worker, and, on the other hand, educational objectives which relate more narrowly to the personal aspirations of the worker. This distinction is useful, even though it is recognised that the individual aspirations of

employees are not necessarily in opposition to employers' objectives and can in fact be complementary.

For the first type of objective it is logical to contemplate the granting of paid leave, since the benefits accrue to the employer and the enterprise, and, indeed, to the economy as a whole. The second type of objective is also important, but it seems reasonable to recognise that it can also be attained by other means—for example through educational and cultural opportunities made available outside working hours. An element of voluntarism must also be recognised with respect to this type of objective. In consequence, an ILO instrument which seeks to impose international obligations might be more realistic if it focused on training and retraining needs as related to manpower policies in general and the needs of the economy in particular.

A further significant point is that paid educational leave is not an end in itself, but rather a means to an end, i.e. the enjoyment of educational opportunities. It may be that a more appropriate objective for an ILO instrument at this time would be the provision of educational opportunities, rather than the provision of leave. An international instrument of this kind might concern itself to some extent with opportunities for workers for education in general, while dealing more particularly with continuing training and retraining of the employed, underemployed and unemployed, which is one of the most important problems of today in industrial circumstances in which skills can become redundant.

Czechoslovakia. After describing in detail national policy and legislation on this question, the Government suggests that paid educational leave should be provided for by law. The legislation should impose certain obligations on employers and should enable workers wishing to follow courses of study concurrently with their employment to obtain concessions at work.

Finland. The Government appreciates the decision to include this question in the agenda of the Conference. The creation of a scheme of paid educational leave is by its nature an issue which requires international co-operation. The Government supports the adoption of a Convention in the matter, possibly supplemented by a Recommendation.

However, the Government considers that Report VI (1) and the questionnaire appended to it do not in themselves form an adequate basis for a Convention but need further elaboration. Consideration might also be given to whether the scope of the instrument should be defined and whether the questionnaire might not be formulated more clearly, as the Government found it difficult to take a definite position on some of the questions. To adopt a satisfactory instrument, efforts should be made to present more exact proposals.

Compared to other sections of the Report and in view of the importance of financing, the chapter dealing with the financial aspects seems rather cursory. The somewhat vague questions concerning financial arrangements in the questionnaire created particular difficulties for the Government in forming a clear view on the matter. Another difficulty is that the two issues, one relating to the remuneration arrangements and the other relating to the cost of programmes, have not been sufficiently separated. Even though these two aspects are closely connected with each other, they are based on different principles. More attention should therefore be paid to the preparation of these questions.

Federal Republic of Germany. The Government welcomes the decision taken by the ILO to examine the question of paid educational leave, which provides workers with a major incentive to undertake further training and education. This presupposes, however, that workers are allowed time off for the purpose. Shorter working hours also constitute a further incentive to seek educational improvement. Such leave would also help to eliminate existing educational barriers and gaps. The constantly changing implications of rationalisation and automation for occupations and professions are such that further training and education must be integrated into working life. Apart from work-related training, social, civic and, especially, political education could also be objectives of educational leave. A democratic society needs workers who are conscious of their responsibilities and problems and who, in addition to possessing vocational skill and knowledge, are aware of social and political inter-relationships. Timing the introduction of paid educational leave and determining its scope need to be given careful thought, with account being taken of

the economic aspects as well as of educational and manpower policies. The Government's policy aims at introducing paid educational leave gradually.

India. In developing countries such as India, where even primary, middle and secondary educational facilities have not been fully developed—notwithstanding the provisions contained in the Indian Constitution for free and compulsory primary education—and where vocational training is still on a very modest scale, to talk in terms of continuing education and conferring a right on employees to such education, without loss of employment and loss of income, appears unrealistic. The basic question will arise as to who will provide the necessary facilities: the employers concerned or the State? In case the employers are required to bear the expenses of workers' education programmes, they will look at it from the point of view of the benefits that will accrue to their own undertaking. If, however, the State undertakes to provide such facilities on a mass scale, to do so will be beyond the financial resources of any developing country, particularly when matters of relatively greater importance still await attention.

Indonesia. The Government states that because of other priorities it would not be ready for some time to come to ratify a Convention on paid educational leave. The matter is left to the parties concerned, that is, to workers' and employers' organisations.

Japan. Today, workers throughout the world are required to renew and improve their skills, knowledge, etc., continuously as a result of technological progress and changes in economic and social conditions.

The Government considers therefore that it is opportune as well as important that the International Labour Conference discuss at this time and adopt an international instrument dealing with the question of paid educational leave as a means of giving workers the opportunity to acquire the general education which they need to supplement any inadequate education received earlier at school and to undergo vocational training in order to acquire the skills required by technological progress.

There is, however, a problem in including, in the scope of education for which paid educational leave is available, education for trade union members, provided by the trade union as an integral part of its formal activities. As provided for in the Right to Organise and Collective Bargaining Convention, 1949 (No. 98), it is particularly important, in the interest of trade union autonomy, for trade unions to remain firmly independent in operational and financial matters as well as in organisational matters in their relations with employers. It is in view of this consideration that the Government does not consider it appropriate to include, in paid educational leave, education provided by trade unions.

Sweden. The Government considers it of great value that the question of paid educational leave should have been included on the agenda of the 1973 Session of the International Labour Conference.

Paid educational leave is a question of the utmost importance. Developments in the fields of technology and education and in the community at large suggest that continuous in-service and further training will be necessary both for the individual and for the community as such.

After mentioning the various types of in-service and further training already given in Sweden, the Government underlines the expansion of adult education which has occurred both for social and cultural reasons and for reasons of economic and labour market policy. An international instrument should reflect these developments. The instrument must also take into account the need for participation of the trade unions at the place of work in planning the co-ordination between work and training, in the implementation of the relevant rules and in information activities.

Switzerland. The Government considers that it is for the employers and workers and not for the State to take the necessary measures for the promotion of paid educational leave. The collective agreement therefore seems the most suitable way to provide for paid educational leave; failing this, provision could be made in the individual contracts of employment. The proposed international instrument should therefore provide for the primary responsibility to be placed with the employers and workers, without the State being called upon to intervene by way of legislation.

United Kingdom. General agreement on the aims of paid educational leave does not preclude the attainment of these ends by a wide variety of means. So far as the Government is concerned, the emphasis has for many years been on voluntarism.

Yugoslavia. The Government supports the ILO's standard-setting and other action promoting further training and education of workers as required by economic and social development. Moreover, obligations in this connection are imposed on the ILO and its States Members by the Declaration of Philadelphia. The Government welcomes the ILO's initiative in placing this question on the agenda of the Conference and agrees entirely with the Office approach as set forth in the questions in the questionnaire.

(1) Do you consider that the International Labour Conference should adopt an international instrument concerning paid educational leave? **Qu. 1**

(2) If so, what form do you consider that the instrument should take?

Paragraph (1) :

Total number of replies : 58.

Affirmative : 56. Algeria *, Argentina, Austria *, Belgium *, Bulgaria *, Burundi *, Byelorussian SSR, Central African Republic *, Colombia *, Cyprus *, Czechoslovakia, Dahomey, Egypt *, El Salvador *, Ethiopia, Finland *, France *, Federal Republic of Germany *, Ghana, Greece *, Hungary *, India *, Iraq, Ireland, Japan, Jordan *, Kenya, Khmer Republic, Libyan Arab Republic, Malawi *, Malaysia *, Malta *, Mexico *, Morocco, Netherlands *, New Zealand *, Nigeria, Norway *, Pakistan, Romania, Senegal *, Singapore *, Spain *, Sudan, Sweden *, Switzerland, Syrian Arab Republic, Trinidad and Tobago, Tunisia, Ukrainian SSR, USSR, Upper Volta, Uruguay *, Venezuela *, Republic of Viet-Nam *, Yugoslavia *.

Negative : 1. Brazil *.

Other : 1. United Kingdom *.

Paragraph (2) :

Total number of replies : 54

Convention only : 3. Dahomey, Iraq, Yugoslavia *.

Recommendation only : 37. Algeria *, Belgium *, Burundi *, Central African Republic *, Colombia *, Cyprus *, El Salvador *, Ethiopia, Federal Republic of Germany *, Ghana, Greece *, India *, Ireland, Japan, Jordan *, Kenya, Khmer Republic, Libyan Arab Republic, Malawi *, Malaysia *, Malta *, Mexico *, Morocco, Netherlands *, New Zealand *, Nigeria, Pakistan, Romania, Senegal *, Singapore *, Spain *, Switzerland, Trinidad and Tobago, Tunisia, Upper Volta, Venezuela *, Republic of Viet-Nam *.

Convention supplemented by a Recommendation : 14. Argentina, Austria *, Bulgaria *, Byelorussian SSR, Czechoslovakia, Egypt *, Finland *, France *, Hungary *, Norway *, Sweden *, Ukrainian SSR, USSR, Uruguay *.

* Substance of observations reproduced below.

Algeria. Yes. The instrument, designed to become part of general policies on training and advancement of workers, should take the form of a Recommendation in view of the newness of the subject and its close link with technical and scientific developments.

Austria. Yes. The instrument should take the form of a Convention establishing the principles of paid educational leave. The Convention should be supplemented by a Recommendation dealing with the principles in detail and containing, if appropriate, provisions going beyond the minimum standards laid down in the Convention.

Belgium. Yes. The instrument should take the form of a Recommendation. In view of the differences in national legislations, the flexibility of a Recommendation would allow each member State to attain the objectives gradually and according to their needs.

Brazil. No. In Brazil paid educational leave has already been completely taken care of by national legislation.

Bulgaria. Yes. The instrument should be a Convention, supplemented by a Recommendation, in view of the legal obligations involved for the member States ratifying the Convention.

Burundi. Yes. The adoption of a Recommendation would be preferable as a first step in view of the diversity of experiences and practices in the various member States.

Central African Republic. Yes, especially in view of technological progress, which requires the acquisition of knowledge within the framework of permanent education. The instrument should take the form of a Recommendation flexible enough to be consistent with the level of development of member States.

Colombia. Yes. The instrument should take the form of a Recommendation which will make the undertakings and the workers aware of the advantages of permanent education.

Cyprus. Yes, in the form of a Recommendation. The workers' representatives suggest a Convention supplemented by a Recommendation.

Egypt. Yes. Technological and social developments and their effects call for the adoption of instruments in this field. The instrument should take the form of a Convention, laying down the basic principles, supplemented by a Recommendation containing detailed and flexible provisions adaptable to the social and economic conditions of member States.

El Salvador. Yes. Because of the low economic level of many developing countries, people who leave school after primary education cannot be integrated in industry. Furthermore, industry is changing in order to attain higher productivity and workers thus require more knowledge and greater skills. The instrument should take the form of a Recommendation providing guidelines.

Finland. Yes; in view of the importance of the subject the proposed instrument should take the form of a Convention. The most important principles and provisions should be incorporated in a Convention, which could be supplemented by a more detailed Recommendation. If a Convention is to be drafted, the proposals set forth in the questionnaire need further elaboration, as has been stated in the general observations made by the Government.

The employers have expressed their disagreement with the adoption of an international instrument, since in their opinion paid educational leave is only one form of adult education; should an international instrument be adopted, it should be of a less binding character than a Convention.

France. Yes, although there are likely to be problems of application inasmuch as such an instrument would provide for the right to paid educational leave. The instrument should be a Convention, covering the general aspects, accompanied by recommendations dealing with particular points or points which are not likely to apply systematically to all member States.

Federal Republic of Germany. Yes. The instrument should take the form of a Recommendation, as a first step to a Convention which might be adopted at a later date. The Government's final position, however, will depend on the outcome of the discussion at the Conference.

Greece. Yes. Educational leave should be on a continuous, periodic or alternating basis and thus facilitate further training of workers in undertakings. The instrument should take the form of a Recommendation. The Government points out, however, that the Federation of Greek Industrialists takes the view that the adoption of an instrument is not advisable and that it should be left to the employers of each country to deal with paid educational leave.

Hungary. Yes. The instrument should be in the form of a Convention, laying down the main principles, supplemented by a Recommendation which should deal with various measures of implementation of these principles.

India. In view of the situation prevailing in the developing countries, it may not be possible to provide for paid educational leave for various types of education—vocational training, general adult education, trade union studies, etc., in the foreseeable future, although the desirability and need for such a facility for workers cannot be denied. It would, therefore, be more realistic to adopt at this stage only a Recommendation which would take into account the situation prevailing in the developing countries.

Jordan. Yes, provided the instrument takes the form of a Recommendation.

Malawi. Yes. The instrument should take the form of a Recommendation, in view of the diverse nature of national practices.

Malaysia. Yes. Due to technological changes, more people require both technical and practical skills than before. Therefore, an international instrument is desirable, and should take the form of a Recommendation.

Malta. Yes. The instrument should take the form of a Recommendation, since the concept of paid educational leave is relatively new and a variety of means are being explored in different countries in order to give it some practical effect. Maximum flexibility is therefore essential in order to find the best solutions in the light both of national needs and of international experience.

Mexico. Yes. The instrument should take the form of a Recommendation containing both the basic principles and the methods of application and should allow for maximum flexibility in order to meet the specific needs of member States.

Netherlands. In view of technological developments and rapid social changes, a system of paid educational leave is a necessity. It would therefore be desirable to formulate a number of directives in this field. On the other hand, in view of the situation prevailing in the Netherlands, an international instrument in which the directives for paid educational leave have already been laid down must be regarded as premature, in the first place because at the national level too little experience has been gained with " paid educational leave " up to now, and, in the second place, because the exchange of views on this subject is still in the initial stage. Many important questions will first have to be answered, particularly the question as to what standards an adequate type of education ought to meet, in what way this type of education can be tailored to fit the needs of those for whom it is meant, in what way this type of education can be provided, what the relation to the initial training should be, as well as the problem of financing. However, the Conference might adopt a Recommendation urging more detailed study of the problem at both the national and international levels.

New Zealand. Yes. The ILO should adopt an instrument which does not remove the existing discretion of employers to grant workers leave for special purposes but one which encourages them to grant leave for educational purposes by setting out all the advantages to be gained by employers and workers, and by society as a whole, from having a well-

educated labour force continuing its education. An enlightened employer in an advanced society will provide job-related training and time off for trade union education for appropriate employees because it is in his interest, and in that of his society, to do so. Legislative coercion is therefore not necessary. For these reasons the instrument should take the form of a Recommendation.

Norway. Yes. The instrument should take the form of a Convention supplemented by a Recommendation. The Government indicates that the Norwegian Employers' Confederation has taken the view that the instrument should take the form of a Recommendation only.

Senegal. Yes, since many countries are coming increasingly to recognise the importance of training, in particular the training of workers, in promotion and development policies. Time for training and compensation for loss of income must be granted. The instrument should take the form of a Recommendation, which would allow member States to gain a better knowledge of the problem.

Singapore. Yes, in order to equip the worker to meet the challenge of technological change and to improve his chances of promotion and social advancement. A better-educated worker can contribute to the creation of a healthy industrial-relations climate and to the economy of the country as a whole. The instrument should take the form of a Recommendation to allow for greater flexibility, as account should be taken of the needs and practices in individual countries.

Spain. Yes, in view of the background and purposes as stated in the first chapter of Report VI (1). The instrument should take the form of a Recommendation dealing with the basic principles and guidelines, which would allow member States to study the possibility of extending to all workers the benefits of paid educational leave, with a view to incorporating these principles and guidelines in their legislation.

Sweden. Yes. An international instrument on paid educational leave must take into account national differences in the field of adult education, the forms under which it is provided, the priorities adopted, and existing systems of financing.

In view of the great and growing importance of the question, a Convention would be appropriate, indicating the general principles to be applied to paid educational leave. The Convention should be supplemented by a Recommendation containing details of application. This would ensure the flexibility required in order to avoid differences in national practices preventing or complicating application of the instruments.

The Convention should lay down certain basic principles, taking into account national conditions and practice, such as: the right to paid educational leave; the opportunity to use this leave for both general education or vocational training; appropriate financial support to permit adults to study; information regarding training and the possibilities of obtaining leave for this purpose; the participation at the local level of the organisations concerned in order to ensure mutual adjustment between the individual's need for training and the needs of undertakings and administrations; and a quantitative and qualitative adjustment of the public supply of education and training to adult students. An international instrument should allow for solutions by both agreement and legislation.

United Kingdom. While the Government supports the basic educational, economic and social aims of paid educational leave, it considers that the adoption of any instrument might be premature because the place of paid educational leave for adults in the whole structure of a country's educational system and the priority to be accorded to it in allotting financial resources is bound to vary, particularly as between developed and developing countries. A Recommendation, confined to broad principles, is the only form of instrument which the United Kingdom could support.

Uruguay. Yes. The instrument should take the form of a Convention supplemented by a Recommendation. The Convention should lay down in general terms the right to paid educational leave while the Recommendation should deal with details along the lines set forth in the questionnaire.

Venezuela. Yes. Because of the diversity of economic and social conditions in the various countries, there can be no uniform model of paid educational leave which would be generally applicable. Too rigid rules would be an obstacle to the development of this type of leave. The instrument should therefore take the form of a Recommendation, which, because of its greater flexibility, would facilitate the adoption of appropriate measures by member States, in particular by developing countries.

Republic of Viet-Nam. Yes. The instrument should take the form of a Recommendation laying down the basic principles and providing guidance regarding the methods of application; this would allow member States in which paid educational leave is relatively new to prepare the ground in legislation and practice. A Convention could be adopted at a later stage, ensuring as much flexibility as possible to facilitate ratification by member States with limited economic resources, in particular the developing countries.

Yugoslavia. Yes. In view of the principles and the objectives to be established by the new instrument and which should reflect the needs of economic and social development it should take the form of a Convention because of the normative and more binding character of this form of instrument.

As the governments—with one exception—replied in the affirmative, with the majority being in favour of a Recommendation, the Proposed Conclusions have been drafted accordingly *(Point 1)*.

Should the proposed instrument refer, in its Preamble, to the provisions contained in existing international labour Recommendations on vocational training and the protection of workers' representatives concerning the temporary release of workers, or the granting to them of time off, for participation in education or training programmes, and should it suggest that the need for lifelong education and training related to scientific and technological development and the changing pattern of economic and social relations call for an adequate regulation of leave for education and training? **Qu. 2**

Total number of replies : 51.

Affirmative : 44. Algeria, Argentina, Austria, Belgium, Bulgaria *, Central African Republic, Colombia, Czechoslovakia, Dahomey, Egypt *, El Salvador, Finland, Federal Republic of Germany *, Ghana, Greece, Hungary, Iraq, Ireland, Japan *, Kenya, Khmer Republic, Libyan Arab Republic, Malawi, Malaysia *, Malta, Mexico, Morocco, Netherlands *, New Zealand, Nigeria, Romania, Senegal, Singapore, Spain *, Sudan, Syrian Arab Republic, Sweden *, Tunisia, Ukrainian SSR, United Kingdom *, Upper Volta, Venezuela, Republic of Viet-Nam, Yugoslavia *.

Negative : 3. Burundi *, Pakistan, Trinidad and Tobago.

Other : 4. Byelorussian SSR *, France *, Norway *, USSR *.

* Substance of observations reproduced below.

Bulgaria. The new instrument should, in its Preamble, refer to provisions contained in instruments adopted in the field of vocational training and the protection of workers' representatives. It should refer to the necessity of granting workers paid educational leave.

Burundi. No, as regards references to provisions contained in international labour Recommendations on vocational training and the protection of workers' representatives. The new Recommendation should, as far as possible, deal with and regulate the question of paid educational leave independently.

Byelorussian SSR. The Preamble to the Convention should refer to existing international labour Recommendations concerning vocational training and suggest that the need for lifelong training and education calls for proper regulation of educational leave, as mentioned in the question.

Egypt. Yes, reference should be made in the Preamble to existing international labour Recommendations. Appropriate regulations on educational and training leave should be established in view of the resolution adopted on this subject by the International Labour Conference in 1965.

France. It is not essential that the instrument refer specifically to leave granted to trade union representatives, except, perhaps, to mention the existence of such types of leave. Paid educational leave pursues much wider and quite different aims; reference therefore should be made to the demands of scientific and technological development and to the changing patterns of economic and social relations.

Federal Republic of Germany. It would seem indicated, in the Preamble, to refer briefly to existing international labour Recommendations. The Preamble should also contain general remarks on the need for lifelong education and training.

Japan. Yes. However, the Government reserves its position concerning any reference to Paragraph 11 of the Workers' Representatives Recommendation, 1971 (No. 143), for the reasons set forth in its general observations.

Malaysia. Yes. This would clearly define the character, scope and aims of the new instrument.

Netherlands. Yes. However, the question as to the extent to which paid educational leave can be provided has not yet been answered; see also the reply to question 1.

Norway. It would be sufficient to stress in the Preamble the constantly growing need to provide workers with adequate education and training, resulting in particular from developments in science and technology. These demands in respect of education and training will certainly lead to a growing need to provide opportunities enabling the workers to benefit from paid educational leave.

Spain. Yes. The new instrument should mention that account should also be taken of the needs of the organisation of work in the undertaking and of the economic situation of the different countries.

Sweden. Yes. The instrument should also mention the need for recurrent training and that educational leave should be available to every person. Consideration should also be given to the fact that undertakings in many countries already operate extensive schemes to maintain and develop the knowledge and skills of their employees.

USSR. The Preamble to the Convention should refer to existing international labour Recommendations concerning vocational training and suggest that the need for lifelong training and education calls for proper regulation of educational leave, as mentioned in the question.

United Kingdom. Yes, except for the word "regulation", towards the end of the question. The subject of paid educational leave does not lend itself to regulation, and it is preferable that the instrument should confine itself to examples and instances of application

and allow for variations in national law and practice rather than suggest that regulation is desirable.

Yugoslavia. Yes. In addition, the instrument should refer to the principles stated in the Declaration of Philadelphia concerning the aims and purposes of the International Labour Organisation.

The great majority of the governments having replied in the affirmative to this question, the corresponding Point of the Proposed Conclusions has been drafted accordingly *(Point 2)*.

Do you consider that it is further desirable to recognise in the Preamble of the instrument that paid educational leave is not a substitute for adequate education and training early in life and that it is only one of a variety of means for continuing education and training, which are affected also by general policies on hours of work? **Qu. 3**

Total number of replies : 53.

Affirmative : 50. Algeria, Argentina, Austria *, Belgium *, Bulgaria, Burundi, Colombia, Cyprus *, Czechoslovakia, Dahomey *, Egypt, El Salvador, Ethiopia, Finland, France, Federal Republic of Germany, Ghana, Greece, Hungary, Iraq, Ireland, Japan, Kenya, Khmer Republic, Libyan Arab Republic, Malawi, Malaysia, Malta, Mexico, Morocco, Netherlands, New Zealand *, Nigeria *, Norway, Pakistan, Romania, Singapore, Spain *, Sudan, Sweden *, Switzerland, Syrian Arab Republic, Trinidad and Tobago, Tunisia, Ukrainian SSR *, United Kingdom, Upper Volta *, Venezuela, Republic of Viet-Nam, Yugoslavia *.

Negative : 1. Central African Republic *.

Other : 2. Byelorussian SSR *, USSR *.

Austria. Yes. The Preamble should also state that paid educational leave does not affect the right of the worker to holidays with pay.

Belgium. Yes. Concurrently with action in the field of paid educational leave, all governments, and in particular those of the industrialised countries, should pursue their efforts to extend and improve the training of young persons, which provides both basic and polyvalent training.

Byelorussian SSR. It is desirable to state in the Preamble that paid educational leave cannot solve the more general question of safeguarding the right of all citizens to education within the general limits applicable to the whole population. The Preamble should also reflect the fact that paid educational leave is only one of the means of providing adequate education and training.

Central African Republic. This is not essential, since the ILO is at present preparing a Convention, supplemented by a Recommendation, concerning minimum age for admission to employment, one of the purposes being to make that age the same as the age for

* Substance of observations reproduced below.

the end of compulsory schooling. There does not seem to be any relation, therefore, between paid educational leave and the training of young people which is the responsibility of the public authorities.

Cyprus. The Government reserves its position because of the ambiguity of the phrase " which are affected also by general policies on hours of work "; otherwise the proposed text is acceptable.

Dahomey. Yes, these various aspects have each their specific purposes, which should not be confused: paid educational leave is provided for people in the production process, the aim not being to prepare them for work but to help them to work better.

New Zealand. Yes. The Preamble of the Recommendation should recognise the existence of a trend towards systematic on-the-job training and a shorter working week, giving more leisure time in which individuals may pursue social and cultural educational interests.

Nigeria. Yes. This is desirable so that workers' education may not be taken as an alternative for good basic general education, especially in the developing countries where the urge for accelerated economic growth could lead to a tendency to gloss over the essentials of general education.

Spain. Yes. Mention should also be made of additional factors such as the absence of encouragement to undertake training, the faulty planning and organisation of courses and the lack of jobs requiring the type of skills obtained through education and continuing training.

Sweden. Yes. However, adult and youth education should be planned from an over-all perspective, on the principles of recurrent education and training, with opportunities to alternate between periods of employment and education. The final years of present youth education can, as an alternative, be provided as recurrent training periods during the individual's working life. It is also necessary to emphasise that the supply of education must be better adapted to the conditions of working life.

Ukrainian SSR. It is desirable to recognise in the Preamble that such leave is not a substitute for adequate education and training early in life and that it is only one of a variety of means for continuing education and training.

USSR. In the Preamble of the instrument it is desirable to point out that paid educational leave cannot solve a more general problem, that is to ensure that every person has the right to education up to a certain level which is compulsory for the whole population.

Upper Volta. The instrument should distinguish between paid educational leave and other types of paid leave and recognise that it is not a substitute for education and training early in life.

Yugoslavia. Yes, if this means that the regular educational system is not replaced by shortened and complementary vocational training. Paid educational leave should also offer opportunities for education and training to unskilled and handicapped workers as well as allow workers to acquire new skills, taking account, in particular, of the urgent training needs mentioned in question 17.

Since almost all the governments replied in the affirmative, the Proposed Conclusions have been worded accordingly *(Point 3)*. The phrase " which are affected also by general policies on hours of work ", and which was inserted following the discussion by the Governing Body of the ILO of the report of the Meeting of Experts on Paid Educational Leave (see Report VI (1), Appendix I), is intended to bring out the possible relationship between, on the one hand, paid educational leave and, on the other hand, the reduction and adjustment of hours of work and the increase in leisure time.

I. Formulation of Policy

Should the proposed instrument provide that, with a view to facilitating the continuing extension and adaptation of the educational attainments and occupational skills of workers, each Member should declare and pursue a policy designed to promote, by methods appropriate to national conditions and practices and by stages as necessary, the granting of paid educational leave? **Qu. 4**

Total number of replies : 54.

Affirmative : 51. Algeria *, Argentina, Austria, Belgium *, Bulgaria, Burundi *, Byelorussian SSR, Central African Republic, Colombia, Cyprus *, Czechoslovakia, Dahomey *, Egypt *, El Salvador, Ethiopia, Finland, Federal Republic of Germany *, Ghana, Greece *, Hungary, Iraq, Ireland, Japan *, Kenya, Khmer Republic, Libyan Arab Republic, Malawi *, Malaysia *, Malta, Mexico *, Morocco, New Zealand *, Nigeria *, Norway *, Pakistan, Romania, Senegal, Singapore *, Spain *, Sudan, Sweden *, Switzerland, Syrian Arab Republic, Trinidad and Tobago, Tunisia, Ukrainian SSR, USSR, Upper Volta, Venezuela, Republic of Viet-Nam, Yugoslavia.

Other : 3. France *, Netherlands *, United Kingdom *.

Algeria. Yes, taking into account the means and human resources of each member State.

Belgium. Yes. The attainment of these goals depends on how much of its resources a country wishes to invest. It would also be desirable to establish priorities in the choice of stages to be attained.

Burundi. Yes, in particular in view of the importance of the promotion of education and training for economic and social development in developing countries.

Cyprus. Yes, but the phrase " should declare and pursue a policy designed to promote " should be replaced by the words " should encourage ".

Dahomey. Yes, taking into account national conditions.

Egypt. Yes, in order to ensure flexibility in the application of the principles and to allow as many member States as possible to adopt these principles.

France. It would seem difficult, in view of the differences in economic and social conditions, in particular between developed and developing countries, to recommend to all member States to introduce systematically paid educational leave, which is a measure associated with a high level of development. A careful analysis would be needed to show to what degree paid educational leave could be extended to all member States, and what the implications of the right to such leave would be, as well as its scope.

Federal Republic of Germany. Yes. In addition to legislation, other arrangements, such as collective agreements, are equally appropriate and should be taken into account. Thus both sides of industry would be involved in policies promoting paid educational leave.

* Substance of observations reproduced below.

Greece. Yes, it should be possible in Greece to entrust the large industrial undertakings with the training of their workers within the framework of paid educational leave.

Japan. Yes. The policy to be declared and pursued should be made flexible enough to include not only the promotion of the granting of paid educational leave for education and training purposes but also other measures which would ensure in effect the renewal and improvement of the skill and knowledge of workers—such as, for instance, the schemes of education and training within enterprises in Japan.

Malawi. Yes, but with emphasis being laid on the words " by stages ".

Malaysia. Yes. The adoption of a Recommendation with the flexibility envisaged would make it possible for developing countries to follow methods appropriate to national, social and economic policies by stages.

Mexico. Yes. In addition to declaring and pursuing such a policy, member States should create a climate favourable to education and vocational training adapted to the demands of technological and social change throughout working life.

Netherlands. At this stage it is not possible to answer this question. A further study should be undertaken.

New Zealand. Yes. The question of paid educational leave is one that is inextricably involved with a country's over-all active manpower policy.

Nigeria. Yes. Such declared policy would be a reassurance by the public authorities of their interest in and encouragement of enlightened and educated workers as an indispensable asset in nation building. But emphasis should be placed on the operative clause " by methods appropriate to national conditions and practices and by stages as necessary ". This is necessary in order to highlight the varying stages of development in each country. The instrument would therefore have to be flexible.

Norway. Yes, but the phrase " by methods appropriate to national conditions and practices " should be removed, because matters relating to methods should be placed under Part II, " Measures for the Promotion of Paid Educational Leave ". The Government also suggests that the words " by stages as necessary " be omitted.

Singapore. Yes; various factors such as economic development, educational standards and the training abilities of the workers as well as the needs of society have to be considered before this can be implemented.

Spain. The new instrument should refer, as a suggestion and not as a provision, to the declaration of policy as set forth in this question. Paid educational leave should in the first place meet the educational and training needs of special categories of workers such as unemployed, handicapped and elderly persons.

Sweden. Yes. Any regulations, however, should be made very flexible in order to allow for national differences in the methods used to grant educational leave.

United Kingdom. In view of other calls upon educational resources, the most the instrument should do is to recommend that each Member should recognise the contribution which the granting of paid educational leave can make towards meeting the needs for lifelong education and training.

As the replies of the governments were in the affirmative—accompanied in some cases by observations stressing the difficulties that the developing countries might encounter in this connection, or the need to take account of national conditions and practices, or emphasising the importance of the expression " by stages "—the Proposed Conclusions have been drafted accordingly *(Point 4)*.

Should the proposed instrument provide that the policy referred to in Question 4 should be designed to contribute— Qu. 5

(a) *to the social and cultural advancement of workers ;*

(b) *to the acquisition, improvement and adaptation of occupational and functional skills, and the promotion of employment and job security in conditions of scientific and technological development and economic and structural change ;*

(c) *to the active and informed participation of workers and their representatives in the life of the undertaking and of the community ; and*

(d) *generally, to the promotion of appropriate lifelong education and training facilitating the adjustment of workers to contemporary requirements?*

Total number of replies : 54.

Affirmative : 52. Algeria, Argentina, Austria *, Belgium *, Bulgaria, Burundi, Byelorussian SSR *, Central African Republic, Colombia, Cyprus, Czechoslovakia *, Dahomey, Egypt *, El Salvador, Ethiopia, Finland *, France *, Federal Republic of Germany, Ghana, Greece, Hungary [1], Iraq, Ireland [2], Japan [3], Kenya [1], Khmer Republic [4], Libyan Arab Republic, Malawi, Malta, Mexico, Morocco, Pakistan, New Zealand *, Norway, Nigeria, Romania, Senegal, Singapore, Spain *, Sudan, Sweden *, Switzerland, Syrian Arab Republic, Trinidad and Tobago [2], Tunisia, Ukrainian SSR *, USSR *, United Kingdom *, Upper Volta, Venezuela, Republic of Viet-Nam, Yugoslavia.

Negative : 2. Malaysia [5], Netherlands [6].

Austria. Yes. The policy should also contribute to the attainment of a higher general level of education, to the reduction of educational barriers and to workers' individual development.

Belgium. Yes. However, in clause *(b)* reference might be included to " adjustment to a new trade ".

Byelorussian SSR. State policy should contribute to the social and cultural advancement of workers, the acquisition and improvement of occupational skills and the development of lifelong education and training.

Czechoslovakia. Yes, but the Government would recommend that the provisions be in the sequence *(d)*, *(b)*, *(a)*, *(c)*. It should also be emphasised that the systematic improvement of skills, called for by the scientific and technological revolution, is also in the interest of the community.

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* Substance of observations reproduced below.

[1] Affirmative to *(a)*, *(b)* and *(c)*. [2] Affirmative to *(b)*, *(c)* and *(d)*, negative to *(a)*. [3] Affirmative to *(a)* and *(b)* only. [4] In the order: *(b)*, *(d)*, *(c)*, *(a)*. [5] Affirmative to *(b)*. [6] See under question 4.

Egypt. Yes. It would be appropriate to add to clause *(a)* the raising of the workers' economic level.

Finland. In principle yes, but the objectives might be set forth more precisely.

France. Yes. With regard to the right to paid educational leave the Government suggests that a distinction be made between developed and developing countries.

New Zealand. (a) Yes, but it is undesirable for it to be made compulsory for employers to grant paid leave for this purpose, it being a matter for individual countries and individual employers to decide.

(b) Yes. However, the employer should have the final responsibility for selection of candidates, taking into account the need or value of such study for the employee's effective performance at work, the extent and range of available training programmes, the scarcity or plenitude of qualified people, and changes in the nature of jobs because of technological developments or other causes.

(c) Yes. Most employers will appreciate the value of trade union education programmes if they are given knowledge of the programme's contents and if these are sufficiently broad-based and of sound educational value. Dislocation of production would be avoided if the courses for rank-and-file members were outside working hours, while programmes for shop stewards or delegates were held in working time.

(d) Yes. " Lifelong " education and training should enable the individual to develop his or her intellectual and vocational capabilities to the fullest extent possible consistent with his or her present situation in society.

Spain. The Government suggests that the provisions should be designed to contribute to the objectives set forth in clauses *(d)*, *(b)* and *(c)*, in that sequence.

Sweden. (a) and *(d)* Yes. This form of education, however, should be imparted mainly during leisure time.

(b) and *(c)*. Yes.

With regard to all the clauses in this question, it should be emphasised that adult education has a particular task in helping to level out the educational differences that exist between the generations, and in compensating for the discrepancies due to social origin and sex in the education system.

Ukrainian SSR. The Convention should provide that the policy should be designed to contribute to the social and cultural advancement of workers, the acquisition, improvement and adaptation of occupational and functional skills and the development of a corresponding lifelong process of education and training.

USSR. The Convention should mention that this policy should be designed to contribute to the social and cultural advancement of workers, to the acquisition and improvement of occupational skills, and to further education supplementing the initial education received.

United Kingdom. Yes, the Government considers it important that the instrument should not emphasise the self-advancement of workers alone.

The principles suggested in this question have been conceived in general terms and are intended to apply to various aims of paid educational leave; the provisions, moreover, are not in any order of priority or importance. Since the majority of the replies are in the affirmative, the Proposed Conclusions have been drafted accordingly *(Point 5)*.

Qu. 6

(1) Should the proposed instrument provide that the policy referred to in Question 4 should take account of the stage of development and the particular needs of the country and of different sectors of activity, and should be co-ordinated with general policies regarding employment, education and training as well as those regarding hours of work?

(2) Do you consider that the proposed instrument should state that such a policy should be regarded as an essential element of human resources development, and as an investment in the interest of the workers, the employers and the community as a whole?

Total number of replies : 53.

Affirmative : 51. Algeria, Argentina, Austria, Belgium, Bulgaria *, Burundi *, Byelorussian SSR *, Central African Republic, Colombia *, Cyprus *, Czechoslovakia *, Dahomey *, Egypt, El Salvador, Ethiopia, Finland *, France, Federal Republic of Germany *, Ghana, Greece, Hungary *, Iraq, Ireland, Kenya, Khmer Republic, Libyan Arab Republic, Malawi, Malta, Mexico *, Morocco, New Zealand, Nigeria, Norway, Pakistan, Romania, Senegal, Singapore *, Spain, Sudan, Sweden, Switzerland *, Syrian Arab Republic, Trinidad and Tobago, Tunisia, Ukrainian SSR *, USSR *, United Kingdom *, Upper Volta, Venezuela, Republic of Viet-Nam, Yugoslavia *.

Negative : 1. Netherlands [1].

Other : 1. Malaysia [2].

Bulgaria. Yes. National policy designed to promote vocational training is an important element in the development of human resources.

Burundi. Yes, these provisions are particularly relevant to developing countries.

Byelorussian SSR. (1) The Convention should provide that the policy on educational leave should be implemented in each country with due account being taken of the country's particular conditions and requirements.

Colombia. (1) Yes, particularly as regards cultural and educational aspects, in which the differences between the continents are so great.

(2) Yes. Account should be taken in particular of cultural and educational factors, and the fact that such a policy is an investment in the interest of the workers should be emphasised.

Cyprus. Yes, but the Government reserves its position because of the ambiguity of the words " as well as those regarding hours of work ".

Czechoslovakia. (1) Yes.

(2) Yes, the proposed instrument should emphasise the investment character of such a policy.

* Substance of observations reproduced below.

[1] See under question 4. [2] Affirmative to (1), negative to (2).

Dahomey. (1) Yes, but discrimination on the part of undertakings operating in developing countries should be prevented.

(2) Yes. Such a policy should also contribute to changes in mentality and behaviour which would be in the general interest.

Finland. (1) Yes; however, it is not clear, among other things, what is meant by the reference to hours of work.

(2) In principle, yes, but on the other hand this may also be considered self-evident.

Federal Republic of Germany. In supporting these provisions, the Government suggests omitting the words " as an essential element of human resources development " in paragraph (2) since this idea is contained in the notion of investment in the interest of the workers, the employers and the community as a whole.

Hungary. (1) This provision, notwithstanding the fact that it may lead to different interpretations of the policy in question, would be useful because it would make it possible for countries which at present adopt very different solutions as regards granting paid educational leave to accede to the Convention. However, the Government suggests specifying in the Convention that the co-ordination of the policy designed to promote paid educational leave with general educational policy shall not be detrimental to the interests of the workers engaged in education and training.

(2) Yes, in the Convention.

Mexico. (1) Yes.

(2) Yes, particularly as an essential element of human resources development in accordance with the goals set by manpower planning.

Singapore. (1) Yes, this would be desirable, as in many developing countries the question of employment is equally important to the education and training of workers.

(2) Yes, as it represents a productive investment for the nation as a whole.

Switzerland. (2) It ought to be pointed out in this question that paid educational leave is not an absolute right. The worker has to show a willingness to improve his knowledge and skill as set out in question 5. Proof of this willingness would be a guarantee of success.

Ukrainian SSR. (1) The Convention should provide that the policy should take account of the stage of development and the particular needs of the country and should be co-ordinated with general policies regarding employment, education and training.

USSR. The Convention should provide that the policy should take account of the particular needs and conditions of each country.

United Kingdom. (1) Yes. This is most important.

(2) Yes, provided that the word " essential " is deleted.

Yugoslavia. (1) Yes, this is essential if the proposed policy is to be based on real needs, which further implies co-ordination with policies and measures in the field of social security since the workers should not lose any of their rights during educational leave.

As the majority of the governments replied in the affirmative, the Proposed Conclusions have been worded accordingly *(Point 6)*. As regards the observations concerning " hours of work ", see the Office commentary under question 3.

II. Measures for the Promotion of Paid Educational Leave

Should the proposed instrument provide that the formulation and application of the policy for the promotion of paid educational leave should be the joint concern of public authorities, employers and their organisations, workers' organisations and institutions or bodies providing education or training? Qu. 7

Total number of replies : 52.

Affirmative : 44. Algeria, Argentina, Bulgaria, Burundi, Byelorussian SSR, Central African Republic, Colombia *, Czechoslovakia, Dahomey *, Egypt, El Salvador, Ethiopia, Finland *, Ghana, Greece, Hungary, Iraq, Ireland, Kenya, Khmer Republic, Libyan Arab Republic, Malta, Mexico, Morocco, Netherlands, New Zealand, Nigeria, Norway *, Pakistan, Romania, Senegal *, Singapore, Sudan, Sweden *, Syrian Arab Republic, Trinidad and Tobago, Tunisia, Ukrainian SSR, USSR, United Kingdom, Upper Volta, Venezuela, Republic of Viet-Nam, Yugoslavia *.

Other : 8. Austria *, Belgium *, Cyprus *, France *, Federal Republic of Germany *, Malawi *, Malaysia *, Spain *.

Austria. The formulation of the policy should be the responsibility of the competent government authorities, with the participation of employers' and workers' organisations. In view of the implications of paid educational leave for the community as a whole, it would not seem appropriate to refer specifically to employers as well as to institutions or bodies providing education and training.

Belgium. While the objective is undoubtedly the joint concern of the parties mentioned in this question, all of whom participate in the application of the policy in a specific and different way, the public authorities, however, have the major responsibility for the formulation of this policy as well as for financing. The best possible collaboration in the application of this policy should be sought, taking into account national conditions.

Colombia. The role of the trade unions in vocational training policies should be emphasised.

Cyprus. It would be preferable if the proposed instrument were to provide that " the formulation, promotion and application of the concept of paid educational leave should be the joint concern...", etc.

Dahomey. Yes. The major role of the employers' and workers' organisations should be emphasised.

Finland. Yes, but the right of workers' and employers' organisations to conclude mutual agreements should not be brought into question.

France. Institutions and bodies providing education and training also have responsibility for the creation of training facilities, for the modernisation of teaching methods adapted to adults, and for measures of control, since the introduction of paid educational leave is likely to give rise to a variety of initiatives in the field of training.

* Substance of observations reproduced below.

Federal Republic of Germany. It would not be helpful to influence opinions and attitudes regarding educational leave by premature policy statements. Paid educational leave is a relatively recent institution and its implications for the economy, the educational system and employment market policy are not yet sufficiently known. The Government suggests that restraint should be exercised in an international instrument dealing with the question of application of policy for the promotion of paid educational leave. Such a policy is the joint concern of all interested parties and an investment in the interest of the community as a whole.

Malawi. Government should make the decisions, but employers and workers may be consulted where appropriate.

Malaysia. It should be the concern of the employers' and workers' organisations, particularly in the case of vocational training, management education, and training for higher scientific and technical personnel.

Norway. Yes, but the Government would like to emphasise that the measures taken for the promotion of paid educational leave should be based on " methods appropriate to national conditions and practices."

Senegal. This could be left to the public authorities, who would associate, when appropriate, the other parties concerned.

Spain. This should be a matter for the public authorities, assisted by public and private institutions and bodies, and with the co-operation of employers and representatives of the workers.

Sweden. The planning, organisation and financing of paid educational leave at the national level presuppose co-operation between several parties: the public educational sector and the organisations of the employers and workers. Collaboration with the community's educational bodies should relate, above all, to training. Other bodies and organisations can also participate, depending on national conditions.

Yugoslavia. Yes, provided that this policy is applied by undertakings and educational establishments.

Since a number of governments considered, for various reasons, that the provision proposed in this question placed all the parties concerned with paid educational leave on an unjustified footing of equality, the Proposed Conclusions have been amended in an endeavour to frame the provision in general terms better adapted to the different national conditions and practices *(Point 7)*.

Qu. 8 *(1) Should the proposed instrument provide that, on the basis of plans adapted to the aims of the policy, measures should be taken—*

(a) *to make full use of available education and training facilities, and to establish such new facilities as may be required to meet the education and training purposes of paid educational leave ;*

(b) *to take account in teaching methods and education and training programmes of the objects and modalities of paid educational leave, which reflect new needs ;*

(c) *to provide workers with incentives to take the greatest advantage of education and training facilities available to them?*

(2) Do you have any other suggestions concerning measures for the promotion of paid educational leave?

Total number of replies : 53.

Affirmative : 50. Algeria *, Argentina *, Austria *, Belgium *, Bulgaria, Burundi*, Byelorussian SSR *, Central African Republic *, Colombia *, Cyprus *, Czechoslovakia *, Dahomey *, Egypt, El Salvador *, Ethiopia, Finland, France *, Federal Republic of Germany *, Ghana, Greece *, Hungary *, Iraq, Ireland *, Kenya *, Khmer Republic *, Libyan Arab Republic, Malawi, Malaysia [1], Malta, Mexico *, Morocco, New Zealand *, Nigeria *, Norway *, Pakistan, Romania, Senegal, Singapore *, Sudan, Sweden *, Switzerland *, Syrian Arab Republic, Trinidad and Tobago, Tunisia, Ukrainian SSR *, USSR *, Upper Volta, Venezuela, Republic of Viet-Nam, Yugoslavia.

Other : 3. Australia *, Spain *, United Kingdom *.

Algeria. (1) Yes.

(2) To extend the benefits of paid educational leave to all concerned, it would be useful to consider incentives such as financial advantages and the promotion of beneficiaries as well as access through educational leave to the ordinary educational system.

Argentina. (1) Yes.

(2) The Government suggests the creation of councils consisting of representatives of the employers' and workers' organisations and, where appropriate, of the public authorities, with a view to concluding agreements for the development of programmes of paid educational leave.

Australia. (1) *(a)* The use of existing facilities and the establishment of new ones must be seen in the light of priorities for such facilities in the education and training fields generally. Paid educational leave cannot necessarily be singled out for special emphasis.

(b) This depends on the type of education or training involved.

Austria. (1) *(a)* Yes.

(b) Paid educational leave should be granted first of all to persons who furnish proof that they use their leisure time for educational purposes.

(c) Yes, but examples of incentives should be given in the Recommendation supplementing the Convention.

(2) Mention should be made of measures to prevent discrimination against workers who claim their right to paid educational leave.

Belgium. (1) The Government suggests adding the following clause to this Point: "*(d)* to promote contacts between educational and training bodies on a national as well as on an international level."

Burundi. (1) Yes, but the measures mentioned should be taken in consultation with the public authorities and the employers' and workers' organisations.

Byelorussian SSR. (1) *(a)* The Convention should provide for the need to formulate national plans which would include measures for implementing a policy of educational leave.

* Substance of observations reproduced below.

[1] Negative to *(c)*.

(b) and *(c)*. It would be advisable to include these in the Recommendation.

(2) The Convention should stress particularly that the principal measure for promoting educational leave is to introduce it by means of a state law.

Central African Republic. (1) *(a)* Yes.

(2) Audio-visual methods should play an important part in educational programmes.

Colombia. (1) Yes.

(2) The ILO should launch an information campaign on paid educational leave and its advantages.

Cyprus. Yes, but the Government proposes the deletion of the words " on the basis of plans adapted to the aims of the policy ".

Czechoslovakia. (1) Yes, but the order of sequence should be *(c)*, *(a)* and *(b)*.

Dahomey. (1) Yes.

(2) Legislative provision could be made for incentives for undertakings which are particularly active in this field.

El Salvador. (1) Yes.

(2) A system of incentives should be introduced for employers in order to ensure their best possible participation.

France. (1) Yes. It should be added that in order to meet the purpose of paid educational leave, all must have access to it and be able to benefit therefrom under the best possible conditions, in full knowledge of the rights open to all and of the possibilities offered by the institutions providing education and training.

(2) Measures should be taken to prevent discrimination against workers claiming their rights to paid educational leave.

Federal Republic of Germany. (1) The measures proposed should form part of a policy to be carried out by stages and be provided for in the instrument.

(2) Experiments in programmes of paid educational leave based on scientific analysis should be carried out and could serve as models.

Greece. (1) Yes. The Government suggests the addition of the following clauses: "*(d)* to create a body responsible for the application of policies for the promotion of educational leave; *(e)* to establish, under the body mentioned in *(d)*, an adequate system of information and counselling regarding possibilities of paid educational leave."

It should also be clearly stated that paid educational leave cannot be offset against any other type of leave provided for by national legislation.

Hungary. These provisions should be included in the Recommendation.

Ireland. (1) *(a)* Yes, but the establishment of new facilities should be subject to the considerations set out in question 6 (1).

Kenya. (1) *(a)* and *(b)* Yes.

(c) It should not be necessary to provide workers with incentives to take advantage of paid educational leave.

Khmer Republic. (1) Yes. The Government suggests the addition of the following: " to attain a balance between supply and demand in employment by adapting training and education to manpower needs and by adjusting the resources to be invested to the possibilities and prospects of development. International technical assistance should join in national efforts to promote paid educational leave."

Mexico. (1) Yes.

(2) Teaching methods and education and training programmes should not only reflect new needs but also take into account existing opportunities which are not being used.

New Zealand. (1) *(a)* and *(b)* Yes.

(c) Yes, but these need not be direct financial incentives. They could include provision of counselling services provided to workers with knowledge about future job opportunities, and the provision of suitable accommodation for young workers who are studying.

(2) The provision of block courses covering several weeks, or months, and day-release courses for full or half days over a year or two at universities, technical institutions, and other colleges or centres.

Nigeria. (1) *(a)* Yes, but the following amendments should be made in the first line of this provision: after " full use " insert " where possible ". This is necessary because " available education and training facilities " may have been already fully occupied.

(b) Yes.

(c) The provisions in questions 18 and 19 seem adequate.

Norway. (1) Yes.

(2) The Norwegian Trade Union Federation proposes that the instrument should provide that taking advantage of paid educational leave should not be a reason for dismissal.

Singapore. (1) Yes. This would ensure the successful implementation of the paid educational leave. With regard to clause *(c)*, it is generally recognised that sufficient motivation in the form of incentives should be provided to workers for them to obtain maximum advantage from the paid educational leave.

Spain. (1) The proposed instrument should provide: (i) in reply to clause *(c)*: that workers should be encouraged, by the grant of paid educational leave, to take the greatest advantage of such facilities; (ii) in reply to clause *(a)*: that no new facilities be established until available education and training facilities have been fully used; (iii) in reply to clause *(b)*: that programmes and teaching methods be constantly adapted to changes and new needs which might arise.

Sweden. (1) Yes.

(2) Education, the greatest part of which takes the form of education of children and young persons, must be adapted to the needs of adult education. Far too little research is available in this respect. The instrument should therefore, in a special paragraph, emphasise the need for promoting research in adult pedagogics.

Switzerland. Yes, but the details should be worked out directly by employers and workers.

Ukrainian SSR. (1) *(a)* The Convention should provide that national plans should reflect measures for implementing the policy of granting paid educational leave.

(b) and *(c)* These provisions should be included in the Recommendation.

(2) The Convention should state that the most effective method of promoting paid educational leave is the adoption of a law to that effect.

USSR. (1) *(a)* The proposed instrument should provide for the necessity of working out national plans which could provide for the measures to implement the policy for promotion of paid educational leave.

(b) and *(c)* As for provisions concerning teaching methods and incentives to take the full advantage of educational leave facilities, it would be reasonable to include them in the Recommendation.

(2) It should be emphasised that adoption of a state law should be the basic measure for the promotion of paid educational leave.

United Kingdom. (1) *(a)* Yes, so far as available facilities are concerned. As regards establishing new facilities, see the reply to question 4.

(b) The contents and methods of non-vocational teaching are not appropriate for an ILO instrument.

(c) Caution is needed concerning the use of incentives where the adult educational system is based on voluntary participation and the instrument should not suggest that they are needed in all cases.

(2) Employers might, wherever appropriate, be given incentives to release their workers for educational and training purposes.

As several governments suggested that employers also be encouraged to grant paid educational leave, a corresponding provision (clause *(d)*) has been included in the Proposed Conclusions *(Point 8)*.

Some governments also have made detailed proposals in reply to paragraph (2); these have been included in the Annex entitled " Suggestions concerning Methods of Application ".

Qu. 9 *Should the proposed instrument provide that there should be adequate systems of information and counselling regarding possibilities of paid educational leave?*

Total number of replies : 51

Affirmative : 51. Algeria *, Argentina *, Austria *, Belgium, Bulgaria, Burundi *, Byelorussian SSR, Central African Republic, Colombia, Cyprus, Czechoslovakia *, Dahomey, Egypt, El Salvador, Ethiopia, Finland *, France, Federal Republic of Germany, Ghana, Greece, Hungary, Iraq, Ireland, Kenya, Khmer Republic, Libyan Arab Republic, Malawi, Malaysia, Malta *, Mexico *, Morocco, New Zealand, Nigeria, Norway, Pakistan, Romania, Senegal *, Singapore *, Spain, Sudan, Sweden *, Syrian Arab Republic, Trinidad and Tobago, Tunisia, Ukrainian SSR, USSR, United Kingdom, Upper Volta, Venezuela, Republic of Viet-Nam, Yugoslavia *.

Algeria. Yes. The Government considers this provision as being of particular importance.

Argentina. Counselling regarding possibilities of paid educational leave should be undertaken by workers' and employers' organisations and by the State.

Austria. Yes. It should be provided, in addition, that this information should be available to all concerned.

Burundi. Yes. This provision is of more importance for the industrialised countries, where the choice of education and training facilities is much greater than in developing countries.

Czechoslovakia. Yes. Experience in Czechoslovakia shows that adequate systems of information and counselling are very helpful.

Finland. Yes, such systems should be an integral part of the scheme.

Malta. Yes, this will be an important requirement.

* Substance of observations reproduced below.

Mexico. Yes, as part of a total human resources development policy and undertaken jointly by workers, employers and the State.

Senegal. Yes, this will be very useful to the workers.

Singapore. Yes, as this would keep the workers informed of the facilities available and ensure a proper and satisfactory use of labour resources.

Sweden. Yes. Measures should be aimed mainly at groups with special educational requirements, e.g. persons with little or inadequate basic education. Activities to pinpoint educational needs should play a prominent role.

Yugoslavia. Yes, in order to facilitate the choice of the type and level of training and education.

As the replies of the governments were in the affirmative, the Proposed Conclusions have been drafted accordingly *(Point 9)*.

Should the proposed instrument provide that special provisions concerning paid educational leave should be established where particular categories of workers, such as workers in small undertakings, shift workers or women with family responsibilities, find it difficult to fit into general arrangements? **Qu. 10**

Total number of replies : 53.

Affirmative : 43. Algeria *, Argentina, Belgium, Bulgaria, Burundi, Central African Republic *, Colombia, Cyprus, Czechoslovakia, Egypt, El Salvador, Ethiopia, Finland *, France, Federal Republic of Germany, Ghana, Greece, Hungary, Iraq, Japan, Kenya, Libyan Arab Republic, Malawi, Malta, Mexico, Morocco, New Zealand *, Nigeria, Norway, Pakistan, Romania, Senegal, Spain, Sudan, Sweden *, Syrian Arab Republic, Trinidad and Tobago, Tunisia, United Kingdom *, Upper Volta, Venezuela, Viet-Nam, Yugoslavia *.

Negative : 4. Dahomey *, Khmer Republic *, Malaysia, Singapore *.

Other : 6. Australia *, Austria *, Byelorussian SSR *, Ireland *, Ukrainian SSR *, USSR *.

Algeria. These categories could be extended to workers in certain types of industry or workers affected by redundancy.

Australia. It would not seem appropriate to regard small undertakings as a special group. In many countries they constitute the bulk of enterprises. This underlines the need to clarify the objectives of education and training and then to work out specific means for achieving the objectives.

Austria. In principle, all workers should have the right to paid educational leave. The right of workers who, for various reasons, find it difficult to fit into general arrangements should be safeguarded. Provision to this effect should be included in the Recommendation.

* Substance of observations reproduced below.

Byelorussian SSR. The Convention should provide that national legislation or collective agreements should include provisions concerning paid educational leave for particular categories of workers not covered by the general provisions.

In the Byelorussian SSR all workers and employees, irrespective of the size of the undertaking, the nature of the work performed or the organisation of labour are entitled to paid educational leave. In practice this right is put into effect through the obligation of management to provide for the education of workers.

Central African Republic. Yes; in order to achieve the purpose of the instrument, particular attention should be given to workers who find it difficult to fit into general arrangements.

Dahomey. No. Whatever their particular category may be, workers should have the right to educational leave. Detailed provisions should be left to national legislation.

Finland. Yes. Special attention should be paid to measures which would enable those with especially poor education and training to benefit from the advantages offered by the scheme of paid educational leave. As regards family responsibilities, the Government considers that in principle they concern men and women equally; therefore, the Government proposes that the expression " women with family responsibilities " be replaced by the expression " working parents with family responsibilities ".

Ireland. Rather than provide that special provisions should be established for particular categories of workers of the kind mentioned, the instrument might recognise the desirability of special provisions for such categories of workers and the practical considerations involved.

Khmer Republic. No. This question should be dealt with in the Annex mentioned in Part VI.

New Zealand. Yes, but the Government is of the opinion that it may not be feasible for the instrument to make provision to cover all categories of workers with special needs.

Singapore. The Government does not consider it necessary for the instrument to make such special provision, as this can be dealt with by individual countries in the light of national circumstances and practices.

Sweden. Yes. Education must be available at different times and under varying conditions, so that consideration can be given to workers with special difficulties in using adult education facilities. These include, for instance, shift workers, and men and women with family responsibilities. However, special provision should not mean that these groups are offered less adequate opportunities for education and training than other workers.

Ukrainian SSR. In the Ukrainian SSR the right to paid educational leave is granted to all workers regardless of the size of the undertaking, the nature of the work performed or family responsibilities. The Convention should provide for the obligation of employers and/or state bodies to make provision for granting paid educational leave to special categories of workers.

USSR. In the USSR the right to paid educational leave is granted to all categories of manual and non-manual workers regardless of the size of the enterprise, nature and organisation of work. This right is guaranteed by the provision concerning the responsibility of the management to ensure opportunities for workers' education. The Convention should require the inclusion in national legislation and in collective agreements of provisions for the granting of paid educational leave to special categories of workers not covered by general arrangements.

United Kingdom. Yes, provided it is recognised that special provision is likely to be more costly and that national resources may therefore not permit it.

Yugoslavia. Yes. The special provisions for particular categories of workers should also cover migrant workers as well as young workers with inadequate initial education and training.

A number of governments took the view that to mention particular categories or groups of workers was an unnecessary detail and suggested that such mention be deleted. Other governments were of the opinion that to mention such categories was appropriate, while yet others proposed the inclusion of additional categories. The Office believes that such an enumeration serves to give examples of categories for which special provision could be made; it has therefore deemed it preferable to retain the provision as originally worded, pending further examination by the Conference *(Point 10)*.

Some governments desired that the expression " women with family responsibilities " be replaced by " men and women with family responsibilities " or " working parents with family responsibilities ". Since in most countries special provision is made in favour only of women with family responsibilities, the wording of the Proposed Conclusions has not been amended, pending further examination by the Conference.

III. Financing

Should the proposed instrument provide that the financing of arrangements for paid educational leave should be on a regular and adequate basis? **Qu. 11**

Total number of replies : 54.

Affirmative : 46. Algeria *, Argentina, Belgium, Burundi *, Byelorussian SSR, Central African Republic, Colombia, Cyprus *, Czechoslovakia, Dahomey, Egypt *, El Salvador, Ethiopia, Finland, France *, Federal Republic of Germany *, Ghana, Greece, Hungary, Iraq, Ireland, Kenya, Khmer Republic, Libya, Malawi, Malta, Mexico, Morocco, New Zealand, Nigeria *, Norway, Pakistan, Romania, Senegal *, Spain *, Sudan, Switzerland, Syrian Arab Republic, Trinidad and Tobago, Tunisia, Ukrainian SSR, USSR, Upper Volta, Venezuela, Republic of Viet-Nam, Yugoslavia.

Negative : 3. Malaysia, Netherlands *, Singapore *.

Other : 5. Austria *, Bulgaria *, Japan *, Sweden *, United Kingdom *.

Algeria. The financing of arrangements should be related to general economic conditions. A minimum rate should be provided to allow of financing on a regular basis.

Austria. The forms of financing should vary according to the types of education or training—that is, general education, vocational training and trade union education.

Bulgaria. The financing of arrangements should be the responsibility of the State and of the employers. The trade unions should not be obliged to contribute to the financing of paid educational leave.

Burundi. Yes. However, paid educational leave should be introduced by stages, taking national conditions into account.

Cyprus. Yes. The words " as far as possible " should be inserted before the word " be ".

* Substance of observations reproduced below.

Egypt. Yes, in order to ensure regularity and continuity in the application of paid educational leave.

France. Yes. However, the introduction of paid educational leave raises economic and technical problems involving financial efforts of such extent that the modalities of application must take account of national economic and financial conditions.

Federal Republic of Germany. Financing is one of the most controversial points arising in connection with paid educational leave. Account has to be taken not only of the cost of salaries and other direct costs to undertakings, the cost of running the courses and travel and subsistence expenses but also of the investments necessary for the creation of new education and training programmes. The proposed instrument should not go beyond the provisions suggested in this question. The Government proposes to include questions 18 and 19 in the Part on financing.

Japan. Though a system of paid educational leave has to function on an adequate and regular financial basis, matters such as contributions to the cost of such arrangements, the type of expenses to be covered, etc., should be left to the judgement of each member State, because they vary according to national conditions and practices.

Netherlands. No, since the question deals with the way these arrangements should be financed. This question should be considered within the framework of the further study called for by the Government. See also the reply to question 1.

Nigeria. Yes, but with the insertion of the words " as far as possible " after the words " educational leave should " in the provision. This is necessary in order to take account of the financial resources of the developing countries, which may fluctuate according to their stage of economic development.

Senegal. The member States could be encouraged to formulate a plan for financing in collaboration with the employers and other organisations concerned.

Singapore. It is not desirable to provide for this in the instrument, as the Government is of the opinion that the financing of such arrangements should best be dealt with by individual countries in the light of their national conditions.

Spain. Yes, but account should be taken of each country's special requirements and the possibilities available in the light of its economic situation.

Sweden. The right to paid educational leave must be secured by suitable forms of economic support. This, however, is something that can be regulated to only a limited extent by the instrument. Consideration must be given, for instance, to the type of education or training involved. In the case of training within undertakings and administrations which may be of direct interest to the undertaking or administration concerned, the employer should in principle meet the costs of training. In other cases, the public sector, the individual and the employer should be expected to contribute to the cost.

United Kingdom. The provisions suggested are too detailed for a Recommendation. The Government would prefer a provision to the effect that the public authorities, employers (collectively and individually), workers' organisations and educational or training institutions or bodies should give due recognition to their responsibilities for contributing to the financing of paid educational leave.

Almost all the replies to this question were in the affirmative. In view of the importance attaching to the problems of financing, the provision has been retained without change *(Point 11)*.

Should the proposed instrument provide that contributions to the cost of such arrangements, which may, in addition to the financial entitlements of the workers concerned, cover some or all of the cost of programmes followed and of relevant administrative services, should be made by the public authorities, employers, collectively or individually, and educational or training institutions or bodies according to their respective responsibilities? **Qu. 12**

Total number of replies : 52.

Affirmative : 39. Algeria, Argentina, Belgium, Burundi *, Byelorussian SSR, Central African Republic *, Colombia, Cyprus *, Czechoslovakia, Dahomey, Egypt *, El Salvador, Ethiopia, France *, Ghana, Greece *, Hungary *, Iraq, Ireland, Khmer Republic, Malaysia, Mexico, Morocco, New Zealand *, Nigeria *, Norway, Pakistan, Romania, Senegal [1], Spain, Sudan, Syrian Arab Republic, Trinidad and Tobago, Tunisia, Ukrainian SSR *, USSR *, Upper Volta, Venezuela, Republic of Viet-Nam.

Negative : 2. Netherlands [1], Singapore *.

Other : 11. Austria *, Bulgaria [1], Finland *, Federal Republic of Germany [1], Japan [1], Kenya *, Malawi *, Malta *, Sweden [1], United Kingdom [1], Yugoslavia *.

Austria. This should be left open in the instrument.

Burundi. The cost of programmes of general education and of relevant administrative services should be covered, as far as possible, by the State. On the other hand, in the case of vocational training and retraining, employers, collectively or individually, should bear the cost of such programmes.

Central African Republic. The contributions should be covered mainly by the public authorities and the employers collectively or individually, while educational or training institutions should contribute by making available existing facilities and equipment.

Cyprus. Contributions should be made by the employers collectively, and by the other authorities and bodies mentioned.

Egypt. Yes, subject to national conditions.

Finland. The responsibility for the financial entitlements of the workers should be divided between the public authorities and the employers. The financial responsibility for the cost of programmes and of administrative services depends on the type of education or training. Thus in the case where the training given will directly benefit the employer (as compared to, e.g., general education) the financial responsibility of the employer should be assessed differently. The Government points out that the employers take the view that it is unreasonable to try to incorporate all the principles of financing in the proposed instrument. The workers have suggested that the system of paid educational leave should be financed by the public authorities and the employers, because society and the employers will benefit from such a system.

* Substance of observations reproduced below.

[1] See under question 11.

France. Apart from contributions by employers and by public funds, provision could be made for contributions from workers towards the coverage of the operating costs of the programme. The rates, however, should be reasonable and represent only a minor part of the total cost.

Greece. Yes. The proposed instrument should provide that contributions should be made by all employers and all workers to an independent fund financed, if necessary, by the State in order to cover the cost of the allowances paid to workers and of the services provided.

Hungary. Yes, in the Convention.

Kenya. Contributions should be covered by industrial training levies.

Malawi. It should be left to governments to decide whether the cost of training should be covered by the trainees or the employers.

Malta. In Malta, where the size and number of industrial concerns are necessarily limited, due to the small size of the island, contributions should best be made by the employers.

New Zealand. Yes. Where employers operate in-plant educational programmes they should meet the costs involved but they should be eligible for some subsidy or grant from public authorities where programmes conform to prescribed standards outlined by education or manpower policies. It is recognised that the cost of paid educational leave must be reflected in prices or taxes.

Nigeria. Yes. But trade unions (workers' organisations) should be included. This should be inserted after " employers " in the questionnaire. The instrument is not intended to absolve workers' organisations of their responsibility in the education of workers.

Singapore. No. In view of the reply to question 11, the Government considers that this should be left to be dealt with by individual countries according to national circumstances.

Ukrainian SSR. The Convention should provide that the cost should be met by the State, the employers and the institutions or bodies dealing with educational questions. In the Ukrainian SSR such expenses are financed out of the state budget.

USSR. The Convention should provide that the cost of paid educational leave should be met by the public authorities, employers, institutions and establishments which are responsible for education and training. In the USSR all these measures are financed by the state budget as well as by undertakings.

Yugoslavia. With regard to financing, the proposed instrument should lay down general principles only, while the actual financing should be regulated at national level.

For the Office commentary see under question 14.

Qu. 13 *Should the proposed instrument provide that workers' organisations may be expected to contribute to the cost of paid educational leave for trade union education?*

Total number of replies : 53.

Affirmative : 37. Algeria *, Argentina, Belgium, Bulgaria, Byelorussian SSR, Colombia *, Cyprus, Czechoslovakia, Dahomey, Egypt *, El Salvador *, Ethiopia,

* Substance of observations reproduced below.

France *, Ghana *, Ireland, Kenya, Malaysia, Malta *, Mexico *, Morocco, New Zealand*, Nigeria*, Norway*, Pakistan, Singapore*, Spain*, Sudan, Sweden*, Syrian Arab Republic, Trinidad and Tobago, Tunisia, Ukrainian SSR, USSR, Upper Volta, Venezuela, Republic of Viet-Nam, Yugoslavia.

Negative : 7. Greece [1], Hungary *, Iraq *, Khmer Republic, Libyan Arab Republic, Romania, Senegal.

Other : 9. Australia *, Austria [2], Burundi *, Central African Republic *, Finland*, Federal Republic of Germany [2], Japan [2], Malawi *, United Kingdom [2].

Algeria. Yes, this provision should be included even if the contribution by workers' organisations is only symbolic in view of their modest financial resources.

Australia. The financing of trade union education surely depends on what is comprehended. If employers and public authorities are to assist in financing trade union education, they will wish to be involved in the determination of course-content and other aspects. Tertiary institutions providing courses in this field will also wish to have responsibility for curricula, although they will no doubt consult with unions on this.

Burundi. To the extent to which the education provided helps trade union leaders or members or workers' representatives to carry out better their responsibilities and functions in the area of industrial relations, leave for this purpose is in the interest of the employers and justifies their contribution to the cost of trade union education.

Central African Republic. This is feasible only where workers' organisations have the necessary means, which is not always the case in many developing countries.

Colombia. Yes, but for this to be possible trade unions, particularly in developing countries, must be aware of the need for and advantages of permanent education.

Egypt. Yes, according to the situation and the possibilities of workers' organisations in each country.

El Salvador. Yes, within the limits of their means.

Finland. The Government finds this question difficult to answer, because it contains, in fact, two questions of principle: *(a)* remuneration during paid educational leave; and *(b)* financial responsibility for the educational programmes. It seems to the Government that workers' organisations could not be expected to contribute to the remuneration paid, since in today's society trade union education is increasingly being considered as one field of adult education. As to the costs of programmes, the instrument should provide that workers' organisations may be expected to contribute to them. The Government points out that in the view of the trade unions, workers' organisations cannot be expected to contribute to the costs, except very modestly, because trade union education should be seen as a part of the general adult education system of society and the trade union movement should be granted the opportunity to the relevant education with the support of society. The employers, for their part, have answered this question in the affirmative.

France. Since the cost of trade union education is wholly or partly covered by the trade unions, a contribution by the State and by the employers would be desirable. It may, however, be expected that part of the costs should be borne by the organisations which benefit from the programmes.

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* Substance of observations reproduced below.

[1] See under question 12. [2] See under question 11.

Ghana. Yes, workers' organisations should be encouraged to contribute to the cost.

Hungary. No, because the inclusion of this provision would restrict the possibilities of the workers' organisations in connection with trade union education.

Iraq. No, consideration should be given to the limited financial resources of such organisations in the developing countries. Emphasis should therefore be placed on the party which would benefit from the leave, i.e. the employers and management, who should contribute the greater part of the expenses.

Malawi. In view of the importance of workers' education to both sides of industry, arrangements should be made for the sharing of resultant expenses between organisations of workers and employers.

Malta. Yes, this is only reasonable.

Mexico. Yes. It is essential for the promotion of paid educational leave that awareness of its importance be developed on the part of the workers, the employers and the Government.

New Zealand. Yes. The contribution of employers to trade union education should consist of paid leave being granted to a certain number for a certain number of man-days and it would seem reasonable that workers' organisations should contribute to the cost of the programmes for trade union education, if only to some portion of fees and travel and subsistence costs.

Nigeria. Yes. In some countries, as in Nigeria, a percentage of trade union funds collected under the check-off system is expected to be set aside for a members' benefit scheme which includes education. Although the Government and other institutions may help in financing educational programmes, trade union education remains primarily the responsibility of workers' organisations.

Norway. Yes. The Government mentions that the Norwegian Trade Union Federation has answered in the negative.

Singapore. The proposed instrument should provide that workers' organisations are expected to contribute, since such education is of benefit to the workers' organisations concerned.

Spain. Workers' organisations should bear the total cost of paid educational leave for trade union education.

Sweden. Yes. The trade unions should, when this is economically feasible, contribute to the costs of trade union education. The community should also contribute to the financing of such education.

For the Office commentary see under question 14.

Qu. 14 *Have you any specific suggestions to make concerning the contributions envisaged in Questions 12 and 13 above?*

Total number of replies : 46.

Affirmative : 17. Algeria *, Argentina *, Burundi *, Dahomey *, Finland *, France *, Federal Republic of Germany [1], Greece *, Ireland *, Japan [1], Malta *, New Zealand *, Nigeria *, Spain *, Sudan *, Upper Volta *, Republic of Viet-Nam *.

* Substance of observations reproduced below.

[1] See under question 11.

Negative : 29. Austria [1], Belgium, Bulgaria [1], Byelorussian SSR, Colombia, Cyprus, Czechoslovakia, Egypt, Ethiopia, Ghana, Hungary, Kenya, Khmer Republic, Libyan Arab Republic, Malawi, Malaysia, Mexico, Morocco, Netherlands [2], Pakistan, Romania, Senegal, Singapore, Trinidad and Tobago, Ukrainian SSR, USSR, United Kingdom, Venezuela, Yugoslavia.

Algeria. Before making suggestions concerning contributions, a comprehensive study of existing resources and of the types of education and training to be covered by paid educational leave is necessary.

Argentina. Legislation and/or collective agreements should define the various responsibilities with regard to financing.

Burundi. With regard to vocational training as well as to trade union education, account should be taken of the economic situation of undertakings, in particular of small undertakings which have limited financial resources.

Dahomey. The rules concerning contributions should be laid down in regulations. A certain percentage should be fixed for each party concerned.

Finland. The system of financing paid educational leave should be such that all workers are in an equal position and the granting of paid educational leave is not dependent on, e.g., the changing economic situation of the employer.

France. Most of the problems raised in this Part, in particular those concerning coverage of the various types of paid educational leave, would seem more appropriately dealt with through collective agreements rather than through regulation by the public authorities. The responsibilities of the parties concerned in each type of educational leave should be clearly defined.

Greece. In the case of training taking place in the undertaking, part-time and during working hours, the compensation paid to trainees should be covered by the undertaking and not by the fund mentioned in the reply to question 12.

Ireland. Any provisions as to financing should contain reference to national conditions and institutions.

Malta. Some kind of " educational leave fund " on a national basis could be created by legislation. Contributions on a percentage basis could be made by employers towards the fund, from which the cost of educational leave could be met.

New Zealand. The public authorities should be able to contribute the use of educational buildings and facilities free of charge, and to subsidise the fees to lecturers for all kinds of education.

Nigeria. The views expressed in the Government's replies to questions 12 and 13 above suggest and emphasise the need for workers' organisations to contribute towards paid educational leave of the workers, whose education also enriches or benefits the union. It is recognised that in the developing countries finance is one of the major problems facing the unions. Nevertheless, to make the trade unions alert to their responsibility in the field of education, it is suggested that the instrument provide that workers' organisations contribute to the extent of their capacity.

Spain. In cases where educational or training institutions or bodies operate within the undertaking and with the latter's aid, the employer's contribution should be proportionately less than the general rate fixed for employers.

[1] See under question 11. [2] See under questions 1 and 11.

Sudan. The employees should not pay any contributions to the cost of arrangements concerning their leave for vocational training, general education or trade union education.

Upper Volta. The workers' organisations should contribute to the cost of education of trade union officials only.

Republic of Viet-Nam. The Government agrees with the provisions suggested in questions 12 and 13. However, it would seem preferable to create funds similar to those established for family allowances and provided for in the legislation. Employers' affiliation to these funds should be compulsory. These funds could be industry-based, interoccupational or multi-occupational, comprising a variety of branches of the economy. The State may also subsidise these funds, under certain conditions.

Since many governments took the view that the provisions contained in questions 12 and 13 were too detailed, or were opposed to certain aspects of them, the Proposed Conclusions have been re-drafted in more general terms covering the substance of questions 12 and 13 and including various suggestions made in response to question 14 *(Point 12)*.

IV. Conditions for Granting Paid Educational Leave

Qu. 15 *Should the proposed instrument provide that paid educational leave should be available to workers without discrimination?*

Total number of replies : 55.

Affirmative : 50. Algeria *, Argentina, Australia *, Austria *, Belgium, Bulgaria, Burundi *, Byelorussian SSR, Central African Republic, Colombia, Cyprus, Czechoslovakia, Dahomey, Egypt, El Salvador, Ethiopia, Finland, France, Federal Republic of Germany, Ghana, Hungary, Iraq, Ireland *, Japan *, Kenya, Libyan Arab Republic *, Malawi *, Malaysia, Malta *, Mexico, Morocco, Netherlands *, Norway, Pakistan, Romania, Senegal, Spain *, Sudan, Sweden *, Switzerland, Syrian Arab Republic, Trinidad and Tobago, Tunisia, Ukrainian SSR, USSR, United Kingdom *, Upper Volta, Venezuela *, Republic of Viet-Nam, Yugoslavia.

Negative : 5. Greece *, Khmer Republic *, New Zealand *, Nigeria *, Singapore*.

Algeria. Yes, but the worker eligible for paid educational leave should be required to have spent a specified period in the undertaking, for example six months.

Australia. Access to education and training should be without discrimination as defined in the Discrimination (Employment and Occupation) Convention, 1958 (No. 111). It is, of course, necessary to ensure that individuals have the qualifications for the education and training proposed.

Austria. Yes, but there should be some guarantee that the worker is able to benefit from paid educational leave.

* Substance of observations reproduced below.

Burundi. Yes. Paid educational leave flows naturally from the right to education, a fundamental human right. It should therefore be available to all workers whatever their level or length of education, their level of skill, their trade or their branch of activity.

Greece. No. A number of basic criteria would have to be met as in any education system. Seasonal workers, for instance, should generally be excluded from the right to educational leave.

Ireland. Yes, as a long-term proposal, subject to the considerations set forth in question 6 (1).

Japan. Yes. Provided, however, that the paid educational leave given by the trade union to its members as an integral part of its activities should be excluded, as mentioned by the Government in its general observations.

Khmer Republic. No. Priority should be given to workers who are citizens of the country.

Libyan Arab Republic. Yes, according to conditions of eligibility.

Malawi. Yes, subject to a proviso concerning probationary employees and casual workers.

Malta. Yes, provided that the workers are suitable for further education.

Netherlands. In principle it should be available to all workers, but subject to investigation, if necessary, since priorities might have to be assigned in view of the financial implications. See also the reply to question 1.

New Zealand. No. The aptitude and motivation of the worker must be fairly assessed by the employer, except in the case of trade union education, when the assessment should be by workers' organisations.

Nigeria. No. Education is a continuing process for all persons at all levels in an undertaking and should be encouraged. However, a paid educational leave programme should be based on national needs.

Singapore. There should be qualifications to the availability of paid educational leave. The type of qualifications can best be determined in the light of national circumstances.

Spain. Yes, but the instrument should suggest that the public authorities establish priorities in the granting of paid educational leave subject to the needs of each country.

Sweden. Yes. However, priority should be given to certain groups. This applies, for instance, to those with poor education, or whose working duties and hours make it difficult to participate in studies.

United Kingdom. Yes. Convention No. 111 provides the basis for a definition.

Venezuela. Yes, but better facilities should be made available to those workers who had no opportunity to acquire a good general education nor skills nor adequate technical knowledge.

As the majority of replies were in the affirmative, a corresponding provision has been included in the Proposed Conclusions *(Point 13)*. The mention made by several governments of the need to establish priorities is linked with questions 17 (now Point 15) and 27 *(a)* (now Point 6 of the Annex) and the Office refers to the commentaries on these questions.

Qu. 16 *(1) Should the proposed instrument provide that, in determining conditions of eligibility and methods of selection for paid educational leave as well as modalities of remuneration, account should be taken to the types of education or training programmes available and of the requirements of the employing undertakings, as well as of the needs of the workers and their organisations and of the public interest?*

(2) Should the proposed instrument provide that the conditions, methods and modalities referred to in paragraph (1) of this question may vary according to whether paid educational leave is intended for—

(a) *general, social or civic education;*

(b) *training at any level; or*

(c) *trade union education?*

(3) Should the proposed instrument provide that, as regards paid educational leave for trade union education, the workers' organisations concerned should have the final responsibility for selection of condidates as well as approval of programmes?

Total number of replies: 54.

Affirmative: 44. Algeria, Argentina *, Austria *, Belgium *, Bulgaria, Burundi *, Central African Republic, Colombia *, Cyprus *, Czechoslovakia *, Dahomey [1], Egypt, El Salvador *, Ethiopia, Finland *, France *, Ghana, Greece *, Hungary *, Iraq, Ireland *, Kenya, Khmer Republic [1], Libyan Arab Republic *, Malawi *, Malaysia [2], Malta, Mexico, Morocco, New Zealand *, Nigeria *, Norway, Pakistan, Romania, Senegal *, Singapore *, Sudan, Sweden *, Syrian Arab Republic, Trinidad and Tobago, Tunisia [1], Venezuela *, Republic of Viet-Nam, Yugoslavia *.

Negative: 2. Federal Republic of Germany *, Switzerland *.

Other: 8. Byelorussian SSR *, Japan [3], Netherlands *, Spain *, Ukrainian SSR *, USSR *, United Kingdom *, Upper Volta *.

Argentina. (1) and (3). Yes.

(2) Yes. But the system should be flexible and be integrated into an education and training policy for workers.

Austria. (1) Yes. The suitability and the interests of the worker should also be taken into account.

(2) *(a)* Yes. The term " social education " needs clarification.

(3) The instrument should leave it open as to whether the trade unions or the representatives elected by the workers of the undertaking should have the responsibility for

* Substance of observations reproduced below.

[1] Negative to (2). [2] Negative to (2) *(a)* and *(c)*. [3] See under question 15.

selection of candidates (see Article 3 *(b)* of the Workers' Representatives Convention, 1971 (No. 135)).

Belgium. (1) This seems reasonable. It should also be specified that there shall be no discrimination based on personal considerations.

(2) Yes.

(3) Yes, but where the training is financed by the public authorities, the latter should give their approval of the programmes.

Burundi. (1) Yes. Political considerations should not be allowed to influence those conditions, which should be formulated with flexibility and should in no way impinge upon the workers' right to paid educational leave.

(2) and (3) Yes.

Byelorussian SSR. (1) It is essential that the Convention provide that account should be taken of the types of education or training as well as of the needs of the workers and their organisations and of the public interest but only as regards determining conditions of eligibility and not as regards determining methods of selection or modalities of remuneration.

(2) and (3) Yes.

Colombia. (1) and (2) Yes.

(3) Yes, whenever the trade unions are organised to know the needs of all the workers.

Cyprus. (1) Yes.

(2) Yes. The workers, however, have emphasised that a formulation should be found so that differentiation between *(a)*, *(b)* and *(c)* will be avoided.

(3) Yes, provided the release of the worker does not affect the efficiency of the undertaking.

Czechoslovakia. (1) Yes. The instrument should harmonise the different interests mentioned in this question as much as possible.

(2) Yes, such a differentiation may be recommended.

(3) Yes.

El Salvador. (1) and (2) Yes.

(3) The instrument should provide that the responsibility should be shared by the employer and the trade union concerned.

Finland. (1) Yes, at least in regard to conditions of eligibility and methods of selection. It would be desirable, however, to place workers' needs higher on the list. As to the modalities of remuneration, if the term means both the amount and the source of financing, see the reply to paragraph (2).

(2) The Government has not yet taken a final position on this matter. At this point, it only wishes to state that the workers consider that the conditions for granting paid educational leave and the amount of remuneration should not vary according to the type of education received, and that the employers, for their part, have given an affirmative answer to this question.

(3) Yes. The employers have stated that the selection of candidates should be left to the workers' organisations, but that in regard to the approval of programmes there should be co-operation between employers' and workers' organisations.

France. (1) and (3) Yes.

(2) Yes; as regards clause *(c)*, because of the particular nature of trade union training it may be preferable to treat this question separately.

Federal Republic of Germany. (1) These provisions should be omitted from the instrument since the conditions for the granting of paid educational leave cannot be made to apply equally to all countries.

(2) The purpose of paid educational leave should be treated in the Preamble or in Part I (Formulation of Policy) and not be repeated in the Part on conditions for granting paid educational leave.

(3) The procedures for the selection of candidates and the approval of programmes will vary with the type and purpose of paid educational leave.

Greece. (1) and (2) Yes.

(3) No. The responsibility for selection of candidates as well as approval of programmes should be assigned to the special body to be created as suggested in the reply to question 8, in consultation with the workers' organisations concerned.

Hungary. Yes. These provisions should be included in the Recommendation.

Ireland. (1) and (2) Yes.

(3) It should provide that the agreement of the workers' organisations should be obtained on the conditions for the granting of paid leave for trade union education.

Libyan Arab Republic. (1) and (2) Yes.

(3) Yes, as far as the selection of candidates is concerned but not with regard to the approval of programmes.

Malawi. (1) Yes.

(2) The instrument should deal only with vocational training and trade union education.

(3) Yes, provided that adequate consultation with the government and employers ensures that there is no disruption of work and that the content of the course is acceptable.

Netherlands. (1) Yes, in general.

(2) Yes.

(3) The authority in charge of the implementation ought to have considerable influence as regards the approval of programmes. As far as the selection of candidates is concerned, one should beware of discrimination.

New Zealand. (1) Yes.

(2) *(a)* Yes. See also the replies to questions 5 *(a)* and 14.

(b) Yes. See also the replies to questions 5 *(b)* and 12.

(c) Yes. See also the replies to questions 5 *(c)* and 13.

(3) Yes, subject to the consent of the employer, which should not be unreasonably withheld, provided that the number of candidates from any one establishment at any one time does not interfere unreasonably with the employers' business. See also the reply to question 5 *(c)*.

Nigeria. (1) Yes, with emphasis placed on the requirements of the establishments concerned and the general needs of the country.

(2) Yes.

(3) As stated under question 13, trade union education is the responsibility of the trade unions themselves. If, however, public authorities and other bodies concerned shoulder the major financial responsibility for education it would seem reasonable that they, too, should have a say on the matter of selection of candidates but with the trade union having a greater say.

Senegal. (1) and (2) Yes.

(3) The approval of programmes may be the responsibility of the public authorities, in consultation with the workers' organisations.

Singapore. (1) and (2) Yes.

(3) Yes. If other parties are to be made liable for some of the cost, the responsibility should be shared. However, the release of the candidate should be subject to the needs of his employer.

Spain. (1) The conditions of eligibility and methods of selection for paid educational leave should be part of a general policy.

(2) and (3) Yes.

Sweden. (1) Different conditions should apply, depending on the type of education or training and the categories of workers concerned. However, no detailed regulations should be incorporated in the instrument. One possibility would be to have the selection prepared by special committees with representatives of the parties concerned.

(2) Yes. As regards clause *(a)*, the individual himself should determine the direction of his studies. As regards clause *(b)*, related questions should not be regulated in detail in an international instrument.

(3) Yes. Leave should as a rule be given for such education. The Government refers in this connection to Convention No. 135.

Switzerland. These problems should be regulated by collective agreements.

Ukrainian SSR. (1) The proposed instrument should provide that in determining conditions of eligibility it is essential to take account of the types of education and training programmes available and of the requirements of the workers and their organisations, and of the public interest.

(2) and (3) Yes.

USSR. (1) The Convention should so provide but only as regards determining conditions of eligibility. In the USSR the conditions for granting paid educational leave are determined by the type of education chosen by a worker himself and do not depend on the requirements of separate enterprises. Ignoring the interests of the workers could lead to the restriction of their rights.

(2) and (3) Yes.

United Kingdom. (1) Yes.

(2) and (3) The suggested provisions are too detailed for a Recommendation.

Upper Volta. Paid educational leave should be available only to workers who deserve it.

Venezuela. (1) Yes, but it should be ensured that the needs of the undertakings and of the workers' organisations are in conformity with national needs as defined in the policies adopted by each member State to promote paid educational leave.

(2) Yes.

(3) No. The workers' organisations should submit candidates and programmes and the State, through appropriate bodies created for this purpose, will have responsibility for selection.

Yugoslavia. Yes, but the Government considers that there should be national regulations to protect workers against arbitrary actions and decisions concerning the granting of paid educational leave.

As the majority of the replies were in the affirmative, a corresponding provision has been included in the Proposed Conclusions *(Point 14)*. It may be pointed out that the provision in paragraph (3) of this Point reflects the practice in most of the member States and ILO policy regarding workers' education.

Qu. 17 *Should the proposed instrument provide that, as required by national circumstances, priority in the granting of paid educational leave should be given to particular categories of workers or particular occupations or functions which have especially urgent education or training needs?*

Total number of replies : 54.

Affirmative : 45. Algeria, Argentina *, Belgium, Bulgaria, Burundi *, Central African Republic, Colombia *, Cyprus, Czechoslovakia *, Dahomey, Egypt *, El Salvador, Ethiopia, Finland, Federal Republic of Germany *, Ghana, Greece, Hungary, Iraq, Ireland, Japan, Kenya, Khmer Republic, Libyan Arab Republic, Malawi, Malta, Morocco, Netherlands [1], New Zealand *, Nigeria, Pakistan, Romania, Senegal, Singapore *, Spain [1], Sudan, Sweden *, Syrian Arab Republic, Trinidad and Tobago, Tunisia, United Kingdom *, Upper Volta, Venezuela, Republic of Viet-Nam, Yugoslavia.

Negative : 7. Byelorussian SSR *, France *, Malaysia, Mexico *, Switzerland [2], Ukrainian SSR *, USSR *.

Other : 2. Austria *, Norway *.

Argentina. Yes. The system of paid educational leave should be sufficiently flexible to be adaptable to especially urgent education or training needs.

Austria. This is a restriction which should be acceptable only in respect of leave for vocational training purposes. The establishment of priorities should not affect the right to educational leave but could be taken into account with regard to the duration and financing of such leave.

Burundi. Yes. This provision would be of importance, in particular to young workers who leave school prematurely.

Byelorussian SSR. No, since this would be contrary to the principle of equal opportunity mentioned in question 15.

Colombia. Yes. Institutions undertaking studies on human resources could forecast areas of especially urgent employment demands and manpower needs.

Czechoslovakia. Yes. Such a differentiation may be justified by specific national or demographic circumstances.

Egypt. Yes. Priority should be given to workers who become redundant for technological reasons or due to mergers of undertakings, to workers with insufficient education, and to handicapped workers and women workers.

France. It would not seem expedient, from the viewpoint of balanced development of paid educational leave, to give priority to the education or training of special categories of workers or of certain occupations whose needs, at a given time or at a given place, are considered as particularly urgent. These considerations could be taken into account when selecting candidates for given courses or programmes.

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* Substance of observations reproduced below.

[1] See under question 15. [2] See under question 16.

Federal Republic of Germany. Since paid educational leave has to be introduced by stages, it seems inevitable that certain categories of workers will benefit earlier than others. The aim nevertheless remains educational leave for all workers.

Mexico. No. Permanent education should be available to all workers without discrimination. The instrument should provide that, as required by national conditions, various programmes of paid educational leave be promoted, taking into account individual needs and national development planning.

New Zealand. Yes. Paid educational leave must be selective, and priorities must be determined by national circumstances. They cannot be fixed in the instrument, which must be left flexible enough to meet developing circumstances.

Norway. The words " as required by national circumstances " should be omitted. The instrument itself should state that any such priority ought to be established in consultation with the organisations of employers and workers.

Singapore. Yes. As an example, persons affected by redundancy should have priority in retraining to prepare them for other occupations.

Sweden. Yes. It is important that, for instance, persons with a poor education, workers threatened by unemployment and eventually other groups, be given priority in the granting of educational leave.

Ukrainian SSR. No, as this could introduce an element of discrimination.

USSR. No, as this would be inconsistent with the principle of equal opportunities as set forth in question 15.

United Kingdom. The requirements of local as well as national circumstances should be recognised, and the provisions of the instrument should be permissive rather than mandatory.

Since the majority of the replies were in the affirmative, the provision has been drafted accordingly *(Point 15)*. It may be mentioned in this connection that the proposal to grant priority to particular categories of workers or particular occupations does not in any way imply discrimination.

Should the proposed instrument provide that during paid educational leave workers should receive compensation for loss of earnings as well as any social benefits to which they may have been entitled prior to the leave? **Qu. 18**

Total number of replies : 53.

Affirmative : 45. Algeria *, Argentina *, Austria, Belgium, Bulgaria *, Burundi *, Byelorussian SSR, Central African Republic *, Colombia, Cyprus, Czechoslovakia, Dahomey, Egypt, El Salvador, Finland *, France, Federal Republic of Germany [1], Ghana, Greece, Hungary *, Iraq, Ireland *, Japan, Khmer Republic *, Libyan Arab Republic, Malaysia, Malta, Mexico *, Morocco, Netherlands *, Norway *, Pakistan, Romania, Senegal, Spain *, Sudan, Syrian Arab Republic, Trinidad and Tobago,

* Substance of observations reproduced below.

[1] See under question 11.

Tunisia, Ukrainian SSR, USSR, Upper Volta, Venezuela *, Republic of Viet-Nam, Yugoslavia *.

Negative : 2. New Zealand *, Switzerland [1].

Other : 6. Ethiopia *, Malawi *, Nigeria *, Singapore *, Sweden *, United Kingdom *.

Algeria. Yes, since paid educational leave should be considered as normal working time.

Argentina. Yes, since the time allowed for paid educational leave should be considered as working time.

Bulgaria. Yes, during educational leave the worker should receive the pay or income which he had before.

Burundi. Yes, particularly if the training programme is promoted by the employer. According to the national Labour Code (section 126) workers are entitled to compensation for loss of earnings as well as to social benefits.

Central African Republic. Yes, since paid educational leave, by contributing to a better utilisation of technological and scientific methods and to higher productivity, is in the interest of the employer.

Ethiopia. Workers should not receive compensation for loss of earnings but should be entitled to social benefits.

Finland. Yes, workers' rights should remain the same during paid educational leave. The employers state that this question depends on the nature of the benefits.

Hungary. Yes. This is one of the most important guarantees enabling workers to make use of paid educational leave and should be included in the Convention.

Ireland. Yes, but consideration might be given to including a qualification to the effect that the entitlements envisaged should " ordinarily " be available.

Khmer Republic. The period of paid educational leave should be purely and simply assimilated to working time.

Malawi. The employers' liability should, where possible, be limited to meeting wage costs of training approved by them or by government.

Mexico. Yes. Paid educational leave should not lead to a reduction in the worker's income.

Netherlands. Yes, on the understanding that on this point, too, further investigation is desirable.

New Zealand. No, nor should there be any guarantee of a level of earnings from overtime, bonus, or other sources or social benefits to which there may have been entitlement. However, employers obviously may decide to compensate for loss of earnings and social benefits in any circumstances where this would seem to them appropriate.

Nigeria. The proposed instrument should provide that paid educational leave should not affect a worker's status, seniority, salary, pension or similar right. The word " earnings " should be omitted because earnings are made up of salaries and incentive payments. It is inappropriate to make such incentive payments while a worker is absent on paid educational leave. " Social benefit " also has a wide meaning and interpretation, and it is

* Substance of observations reproduced below.

[1] See under question 16.

therefore suggested that it be replaced by " similar right ", which is relative to the worker's right in the employment.

Norway. Yes. However, the Norwegian Employers' Confederation replied in the negative because the question of payment must be considered nationally and in negotiation between the organisations of employers and workers.

Singapore. This question would appear to be somewhat unclear, as a worker who is on paid educational leave would not suffer any " loss of earnings " during this period.

Spain. The instrument should provide that in no case should a worker receive compensation less than that being received prior to the leave.

Sweden. As a general principle, all those undergoing education should have their maintenance assured and their social benefits preserved. However, it would seem impossible to regulate the methods of application in detail in the instrument.

United Kingdom. Surely this is covered by the term " paid educational leave ", defined on page 5 of Report VI (1) as leave without loss of income. If only a definition is intended, it should come at the beginning of the instrument.

Venezuela. The worker should not lose any benefits he had prior to the leave.

Yugoslavia. The instrument should deal with the question of the minimum amount of compensation in relation to the worker's remuneration prior to the leave. The worker should be guaranteed an amount adequate to cover his needs and to make use of the opportunities offered by paid educational leave.

As the majority of governments replied in the affirmative, the Proposed Conclusions have been drafted accordingly *(Point 16)*. It should be mentioned that possible forms of " compensation for loss of earnings " are indicated in Point 11 (2) of the Annex.

Should the proposed instrument provide that a period of paid educational leave should be assimilated to a period of effective service for the purpose of establishing claims to social benefits as well as to other rights deriving from the employment relationship? **Qu. 19**

Total number of replies : 52.

Affirmative : 47. Algeria, Austria, Belgium, Bulgaria, Burundi, Byelorussian SSR *, Central African Republic, Colombia, Cyprus, Czechoslovakia, Dahomey, Egypt, El Salvador, Ethiopia, Finland *, Federal Republic of Germany [1], Ghana, Greece, Hungary, Iraq, Ireland [2], Japan, Kenya, Khmer Republic, Malawi, Malaysia, Malta *, Mexico, Morocco, Netherlands, Nigeria, Norway, Pakistan, Romania, Senegal *, Singapore, Sudan, Sweden *, Syrian Arab Republic, Trinidad and Tobago, Tunisia, Ukrainian SSR, USSR, United Kingdom *, Upper Volta, Venezuela *, Republic of Viet-Nam.

Negative : 2. New Zealand *, Switzerland [3].

Other : 3. France *, Spain *, Yugoslavia *.

* Substance of observations reproduced below.

[1] See under question 11. [2] See under question 18. [3] See under question 16.

Byelorussian SSR. Yes, this should be provided for in the Convention.

Finland. Yes. According to the employers, however, it should not be so assimilated.

France. The question of social benefits, because of its complexity, requires detailed study in view of the different social security schemes that exist in member States.

Malta. Yes, depending on national laws and practices.

New Zealand. No. It may be necessary for a period of service with an employer or an industry to be a pre-requisite for a period of paid educational leave but this should be a matter at the discretion of the employer, who must be able to take appropriate action according to the circumstances.

Senegal. Yes, but the methods of application should be left to the initiative of the member States.

Spain. The instrument should provide that member States study this possibility.

Sweden. Yes. However, a condition for educational leave should be a certain length of effective service.

United Kingdom. Yes. A recommendation to this effect would be unobjectionable, provided that the instrument does not purport to interfere in matters normally the subject of free collective bargaining.

Venezuela. Yes, if the duration of paid educational leave does not exceed one year.

Yugoslavia. The problem should be dealt with in such a way that during paid educational leave social benefits and other rights are safeguarded. However, the duration of the leave may raise problems which might lead to temporary loss of rights with regard to employment security and social insurance. Therefore, the principle of safeguarding the rights during educational leave should be recognised. The instrument should provide that in case of temporary loss of these rights the worker would nevertheless benefit from protection in case of illness or accident.

As the majority of the replies were in the affirmative, the Proposed Conclusions have been drafted accordingly *(Point 17)*.

V. Miscellaneous

Qu. 20 *(Federal States only) Do you consider that, in the event of a Convention being adopted, the subject-matter would be appropriate for federal action, or wholly or in part for action by the constituent units of the federation?*

Total number of replies : 12.

Federal action : 3. Argentina, Czechoslovakia, Malaysia.

Action by the constituent units : 1. Switzerland *.

Both : 5. Australia *, Federal Republic of Germany *, Mexico *, USSR *, Yugoslavia *.

Other : 3. Austria *, Nigeria *, Pakistan *.

* Substance of observations reproduced below.

Australia. The adoption of a Convention is certainly not envisaged. In Australia the subject-matter covered by the questionnaire concerns both Federal and state Governments.

Austria. The question of competence is an internal constitutional matter for each ratifying member State.

Federal Republic of Germany. According to the constitution, competence in this matter rests both with the Federal State and with the constituent units of the federation.

Mexico. In federal States, general measures should be adopted on a federal level but local authorities should have the responsibility for adapting the general provisions to the local situation.

Nigeria. The matter would depend on the political structure and constitution of particular countries. In Nigeria, where " labour " is on " the concurrent list ", there is an agreement which makes the Federal Ministry of Labour the Executing Agency for all governments in labour matters. In such circumstances an international instrument would require the assent of all state governments before ratification by the Federal Government.

Pakistan. This should be left for decision by the member States.

Switzerland. If the Convention applies to civil servants, the cantons and the municipalities would have competence for questions regarding their employees.

USSR. In the event of the Convention being adopted and ratified by the Soviet Union, the subject-matter would be within the competence of the all-Union authorities and, to the extent determined by them, within the competence of the Union Republics.

Yugoslavia. Regulations on this subject and the application of the new Convention are appropriate for federal action, while all other questions are for action by the constituent units of the federation.

This question addressed to federal States is intended merely to provide information for the Conference.

(1) Are there any particularities of national law or practice which, in your view, are liable to create difficulties in the practical application of the instrument as conceived in this report? **Qu. 21**

(2) If so, how would you suggest that these difficulties be met?

Total number of replies : 42.

Affirmative : 13. Burundi *, Cyprus *, Egypt *, France *, Greece *, Japan *, Khmer Republic *, Malta *, Norway, Singapore *, Syrian Arab Republic, United Kingdom *, Venezuela *.

Negative : 28. Austria *, Belgium, Bulgaria, Byelorussian SSR, Central African Republic, Czechoslovakia, Ethiopia, Finland, Federal Republic of Germany, Ghana, Hungary, Iraq, Ireland, Kenya, Libyan Arab Republic, Malawi, Malaysia, Mexico *, New Zealand, Nigeria, Romania, Senegal, Spain, Sudan, Sweden *, Trinidad and Tobago, Tunisia, USSR.

Other : 1. Australia *.

* Substance of observations reproduced below.

Australia. The Australian approach to the subject is conceptually different from that in the questionnaire.

Austria. No, but the introduction of paid educational leave will be possible only if account is taken of economic possibilities and national social and political objectives.

Burundi. Difficulties in the practical application of the instrument are due to insufficiencies regarding institutions, personnel, level of education, teaching methods, the country's economic resources and the limited financial means of the State as an employer. In Burundi an international instrument can be applied only gradually as these difficulties are overcome.

Cyprus. While legislation may give practical effect to certain aspects of the instrument, its application will be largely left to the two sides of industry, through collective bargaining. At present, very few collective agreements provide for paid educational leave, even though ad hoc arrangements are often made to suit the needs of the employer and of the worker.

Egypt. (1) The major difficulty is the financing of paid educational leave for workers of small undertakings in the private sector.

(2) By the creation of a public fund constituted by contributions from undertakings, employers' and workers' organisations, as well as social and cultural associations.

France. The particularities in national legislation liable to create difficulties are those concerning certain categories such as seafarers and dockers, who are employed under particular conditions. Solutions to this problem would be similar to those sought for workers who are not employed on a continuous basis.

Greece. The difficulties lie in the great number of small and medium-sized undertakings which are not in a position to grant full-time paid educational leave. Seasonal workers represent a further particularity.

Japan. Trade union education would have to be excluded from the scope of paid educational leave. In Japan the " granting by employers of financial support to trade unions for the latter's operational costs " is prohibited as an unfair labour practice, according to section 7 (3) of the Trade Union Law.

Khmer Republic. (1) The major difficulty in the application of an instrument is the structure both of the undertakings and of employers' and workers' organisations.

(2) Sustained action by international organisations in this field in the form of regional and inter-regional seminars.

Malta. (1) At the present stage of Malta's industrial expansion the introduction of paid educational leave may create some difficulties for certain employers due to the small size of their industries.

(2) Difficulties could best be met by negotiating individual collective agreements. The possibility of legislative measures could also be considered if the Conference should opt for a Convention instead of a Recommendation.

Mexico. No. But the Government estimates that the practical application of conditions regarding paid educational leave should be dealt with by collective agreements.

Singapore. Basically, the Employment Act and the Education Act are silent on the question of paid educational leave. If the provisions envisaged in the instrument were to be adopted, all employers would have to grant such leave regardless of whether or not they could afford to do so; this could cause dislocation of the administrative machinery and impose an unnecessary burden on employers. The instrument should therefore confine itself to laying down guidelines.

Sweden. No. The flexibility assumed in the instrument should guarantee that national conditions have no detrimental effect on its application.

United Kingdom. (1) Two main difficulties would arise. First, such leave has to be fitted into the wider spectrum of education and training for adults. Second, the implications of

special arrangements for paid educational leave through statutory or other mandatory provisions are at variance with long-standing and valued policies and practices both of education and of free collective bargaining in the United Kingdom. Such matters as course-content, teaching methods and allocation of resources are subject to only the most general constraints of national policy.

(2) If the instrument were confined to recommendations regarding the "granting" of paid educational leave (as suggested in question 4) and to stating general principles, with examples and suggestions, the difficulties would be met.

Venezuela. (1) Not with regard to law but to practice, due to the absence of the structure necessary for the introduction of paid educational leave.

(2) The Conference should adopt a Recommendation so that the Government could ask the ILO for technical assistance to establish a system of paid educational leave.

Please indicate any other opinions, suggestions or general considerations which should in your view be taken into account in the examination of the question of paid educational leave. Qu. 22

Replies were received from the following 14 countries: Australia, Austria, Byelorussian SSR, Ghana, Greece, Khmer Republic, Libyan Arab Republic, Malta, Mexico, Netherlands, New Zealand, Spain, USSR, Venezuela.

The Government of Australia referred to its general observations; the substance of the remaining replies is reproduced below.

Austria. An international instrument should refer to the quality of the programmes for which the leave is to be granted. Ratifying member States should be required to establish procedures, appropriate to national conditions, for determining those types of programmes for which paid educational leave can be granted. The Convention should also provide that workers shall have, as far as possible, a free choice of programme.

Byelorussian SSR. It seems advisable that the proposed instrument should define educational leave, indicating the type of education for which such leave is granted and the reasons for granting it.

Ghana. Consideration should be given to the need to set up a national tripartite body comprising government, employers' and workers' representatives which would formulate and develop the policy relating to paid educational leave and supervise its implementation.

Greece. Account should be taken of the following: *(a)* the drawing of a distinction between various types of educational leave; *(b)* contributions from employers and workers for educational purposes; *(c)* establishment of a body dealing with financing, conditions, selection and participation of workers in training programmes; *(d)* creation of the necessary structure for trade union training; and *(e)* promotion of educational leave in undertakings by introducing training programmes.

Khmer Republic. In developing countries the State should contribute more to paid educational leave than the other parties concerned, so as not to discourage foreign undertakings from investing in the country.

Libyan Arab Republic. Long- and short-term plans for paid educational leave should be drawn up in accordance with general plans of over-all development.

Malta. Consideration should be given to the needs peculiar to small countries such as Malta, where the number and size of industries are of necessity small.

Mexico. Account should be taken of the problems of employment and underemployment when considering vocational training of youth, the training and retraining of underemployed and unemployed persons and the rehabilitation of the handicapped.

Netherlands. The extent to which this question could be covered by collective agreements should be examined.

New Zealand. There is a great need for educational and training authorities to be made aware of the needs of industry so that shortages of occupational skills can be alleviated. There is evidence that some vocational courses which are not relevant to these needs are offered, and that too little liaison exists between industry and educational bodies.

Spain. The instrument should suggest that member States study the possibility of integrating paid educational leave into legislation on employment promotion and labour mobility.

USSR. The proposed instrument should contain a definition of paid educational leave indicating the types of education which give entitlement to such leave as well as different reasons for granting the leave, which should include not only direct participation in education and training but also entrance and final examinations and a time to prepare for the latter.

Venezuela. The instrument should define the term " paid educational leave ", its nature and its limits.

Some governments mentioned the limited resources available to developing countries or to small-scale undertakings and the fact that the various aspects of paid educational leave could be dealt with by collective agreements. As regards the question of a definition of paid educational leave, raised by several governments, the Office has considered it appropriate to leave this matter for examination by the Conference.

VI. Suggestions concerning Methods of Application

Qu. 23 *Should the proposed instrument have an Annex setting forth suggestions as to methods of application by which Members, employers and their organisations, workers' organisations and other institutions and bodies concerned might be guided, to the extent possible and desirable, in applying its provisions?*

Total number of replies : 53.

Affirmative : 43. Algeria, Argentina, Belgium, Bulgaria, Burundi, Byelorussian SSR *, Central African Republic, Colombia, Cyprus *, Czechoslovakia, Dahomey, Egypt, El Salvador, Finland *, Ghana, Greece, Hungary *, Iraq, Ireland, Kenya, Libyan Arab Republic, Malaysia, Malta, Mexico, Morocco, New Zealand *, Nigeria *, Norway, Pakistan *, Romania, Senegal, Spain, Sudan, Sweden, Switzerland *, Syrian Arab Republic, Tunisia, Ukrainian SSR, USSR, United Kingdom *, Upper Volta, Venezuela, Republic of Viet-Nam.

* Substance of observations reproduced below.

Negative : 4. Ethiopia, Japan *, Singapore *, Trinidad and Tobago.

Other : 6. Austria *, France *, Federal Republic of Germany *, Khmer Republic *, Netherlands [1], Yugoslavia *.

Austria. These suggestions could be included in the Recommendation supplementing the Convention.

Byelorussian SSR. The proposed instrument should have an Annex setting forth suggestions as to the methods of application of the labour benefits relative to educational leave.

Cyprus. Yes, but the words " and desirable " should be deleted. The Cyprus workers' reply is " Yes, but only in the Recommendation ".

Finland. Yes, if the instrument is in the form of a Convention the suggestions contained in the Annex might also be incorporated in the Recommendation. The employers are not in favour of adopting such detailed provisions.

France. A text giving information on the functioning of paid educational leave schemes in various countries would seem preferable to an Annex to an international instrument. Specific examples would be more helpful to governments than suggestions in an Annex, which would necessarily be of a general nature.

Federal Republic of Germany. Methods of application should be dealt with on an internal national basis rather than in an instrument. Even detailed suggestions on methods of application set forth in an Annex to a Recommendation would be too far-reaching. However, the Government would welcome the suggestions set out in questions 25 and 27, which could be listed in an Annex to the Recommendation.

Hungary. Yes; in an Annex to the Recommendation.

Japan. Since few countries have adopted schemes for paid educational leave, and because of insufficient experience concerning the appropriate methods of applying such schemes, it is doubtful whether appropriate methods of applying the provisions of the instrument could be suggested at this stage.

Khmer Republic. The suggestions set forth in such an Annex would be premature in the case of the Khmer Republic.

New Zealand. Yes, provided that the methods which are suggested are flexible.

Nigeria. Yes, for the guidance of member States.

Pakistan. Yes, but the competent national authority should be free to choose the course which it considers best for the implementation of the provisions of the instrument.

Singapore. No. It would best be left to the respective countries to apply the provisions according to national practice.

Switzerland. Yes, there should be an Annex setting forth suggestions as to methods of application as well as to measures designed to promote paid educational leave. However, the conditions for granting such leave, which vary greatly, should not be included.

United Kingdom. Yes, provided the suggestions are only illustrative.

Yugoslavia. The Government will take a position after having studied the matter.

Since the majority of governments replied in the affirmative to this question, a corresponding provision has been included in the Proposed Conclusions *(Point 18)*.

* Substance of observations reproduced below.

[1] See under questions 1 and 22.

Qu. 24 *Do you consider that the suggestions envisaged in Question 23 should deal more particularly with measures for the promotion of paid educational leave, on the one hand, and with conditions for granting that leave, on the other?*

Total number of replies : 51.

Affirmative : 39. Algeria, Argentina, Belgium, Bulgaria, Burundi, Central African Republic, Colombia *, Cyprus, Czechoslovakia *, Dahomey, Egypt, El Salvador, Finland, France, Ghana *, Greece *, Hungary *, Iraq, Ireland, Kenya, Libyan Arab Republic, Malaysia, Malta, Mexico, Morocco, New Zealand *, Nigeria *, Norway, Romania, Senegal, Spain, Sudan, Sweden, Syrian Arab Republic, Tunisia, United Kingdom, Upper Volta, Venezuela, Republic of Viet-Nam.

Negative : 2. Singapore [1], Trinidad and Tobago.

Other : 10. Austria [1], Byelorussian SSR *, Federal Republic of Germany [1], Japan [1], Khmer Republic [2], Netherlands [3], Switzerland [1], Ukrainian SSR *, USSR *, Yugoslavia [1].

Byelorussian SSR. Such suggestions should relate specifically to measures for the promotion of paid educational leave. Conditions for granting such leave should be included in the instrument itself and not in an Annex.

Colombia. Yes, but each country should lay down its own rules in this respect.

Czechoslovakia. The principle of paid educational leave should be an integral part of the general system of education and vocational training of workers.

Ghana. Yes, but this may well be the appropriate function of the tripartite national body suggested in the reply to question 22.

Greece. Yes, but within a general framework and not in an exclusive manner.

Hungary. Yes, but in the Recommendation.

New Zealand. The suggestions should be directed to measures for the promotion of paid educational leave rather than to the conditions for granting that leave.

Nigeria. Yes. But the instrument should be flexible enough to take account of the needs in each country and to make achievement of its objectives possible.

Ukrainian SSR. The suggestions should refer specifically to measures for the promotion of paid educational leave. The conditions for granting such leave should be laid down in the Convention itself.

USSR. These suggestions should deal more particularly with measures for the promotion of paid educational leave. As to conditions of granting such leave, they should be included in the instrument itself but not in its Annex.

As most of the governments replied in the affirmative, provisions concerning the promotion of paid educational leave and the conditions for granting it have been included as an Annex to the Proposed Conclusions.

* Substance of observations reproduced below.

[1] See under question 23. [2] See the General Observations. [3] See under questions 1 and 22.

(1) Do you consider that, with respect to measures for the promotion of paid educational leave, it would be desirable to set out suggestions concerning— Qu. 25

(a) *methods of consultation and co-operation among those concerned;*

(b) *co-operation between the authorities and bodies concerned with paid educational leave and the authorities and bodies responsible for approving and supervising education and training programmes and facilities;*

(c) *the collection and dissemination of information regarding possibilities of paid educational leave, available facilities and programmes;*

(d) *counselling services;*

(e) *subsequent use of the knowledge or skills acquired by workers thanks to paid educational leave?*

(2) Do you have any particular comments regarding these points?

Total number of replies: 51.

Affirmative: 46. Algeria *, Argentina, Austria, Bulgaria, Burundi *, Byelorussian SSR *, Central African Republic, Colombia, Cyprus *, Czechoslovakia *, Dahomey, Egypt, El Salvador, Ethiopia *, Finland, France *, Federal Republic of Germany, Ghana, Greece *, Hungary *, Iraq, Ireland, Kenya, Libyan Arab Republic, Malawi *, Malaysia, Malta, Mexico, Morocco, New Zealand *, Nigeria, Norway, Pakistan, Romania, Senegal, Singapore, Spain, Sudan, Sweden *, Syrian Arab Republic, Tunisia, Ukrainian SSR, USSR *, United Kingdom, Venezuela, Republic of Viet-Nam.

Negative 2. Japan, Trinidad and Tobago.

Other: 3. Khmer Republic [1], Netherlands [2], Yugoslavia [1].

Algeria. The suggestions could relate, in particular to clause *(e)*, which is of major importance for the scope and the impact of paid educational leave.

Burundi. (1) Yes.

(2) Methods of consultation and co-operation would be particularly useful at the level of the undertaking. Paid educational leave should become one of the instruments of manpower and employment policies. Clauses *(d)* and *(e)* are of interest to countries with large-scale education and training resources.

Byelorussian SSR. The suggestions set out in this question would be useful in order to establish a method of consultation for the study of the various problems connected with paid educational leave.

Cyprus. (1) *(a)*, *(b)* and *(e)* Yes.

(c) and *(d)* Where the provision for paid educational leave is embodied in a collective agreement the responsibility for information and counselling should rest on the union. Where there is legislative provision, the State should take the measures suggested. See also under question 23.

* Substance of observations reproduced below.

[1] See under question 23. [2] See under questions 1 and 22.

Czechoslovakia. Yes. Suggestions set out in this question may promote paid educational leave in certain countries.

Ethiopia. (1) *(a)-(c)* and *(e)* Yes.

(d) Counselling services are not so important, as long as " methods of consultation and co-operation among those concerned " exist.

France. Yes. With regard to *(e)* two problems arise: the influence of skills acquired on job and wage classification; and training which is not promotion-related, its purpose being merely to maintain knowledge and skill, to adapt them to new techniques and to acquaint trainees with the technological, economic and social environment.

Greece. (1) Yes.

(2) It would be desirable to mention under *(c)* information regarding possibilities of paid educational leave at the international level.

Hungary. Yes, these suggestions should be set out in the Recommendation.

Malawi. (1) Yes.

(2) It should be stressed in the instrument that cognisance be taken of whether governments have the necessary resources to implement it.

New Zealand. (1) Yes.

(2) The programme for the promotion of paid educational leave will be successful only if it is communicated effectively to employers and employees by public authorities through educational bodies. Therefore it is desirable that detailed suggestions concerning methods of promotion should be set out in the Recommendation, so that all concerned should see the part that they can play in the programme.

Sweden. (1) *(a)*, *(b)* and *(d)* Yes.

(c) It is important to stress that information and activities to identify educational needs should be arranged via the trade unions.

(e) Yes. The employer should see to it that workers' knowledge and skills are utilised to the greatest possible extent. After return to work no one should be offered terms of employment which are less advantageous than those prior to the leave.

USSR. It would be useful to set out these suggestions in order to establish methods of consultation for studying problems of paid educational leave.

Since the majority of governments replied in the affirmative, the suggestions contained in this question have been included in the Proposed Conclusions *(Annex, Points 1 to 5)*.

Qu. 26 *Do you have any other suggestions regarding measures for promotion of paid educational leave?*

Total number of replies : 45.

Affirmative : 8. Belgium *, Burundi *, Central African Republic *, El Salvador *, Iraq *, New Zealand *, Sweden *, United Kingdom *.

* Substance of observations reproduced below.

Negative : 34. Algeria, Argentina, Austria, Bulgaria, Colombia, Cyprus, Czechoslovakia, Dahomey, Ethiopia, Finland, France, Ghana, Greece, Hungary, Kenya, Libyan Arab Republic, Malawi, Malaysia, Malta, Mexico, Morocco, Nigeria, Pakistan, Romania, Senegal, Singapore, Spain, Sudan, Switzerland, Trinidad and Tobago, Tunisia, Ukrainian SSR, USSR, Venezuela.

Other : 3. Khmer Republic [1], Netherlands [2], Yugoslavia [1].

Belgium. Attention should be drawn to the fact that economic and social conditions as well as the needs differ considerably between industrialised and developing countries.

Burundi. It would be useful to include suggestions regarding the rights and the duties of the parties concerned during periods of paid educational leave, in particular with regard to termination of employment contracts and social security.

Central African Republic. It would be desirable to make suggestions regarding several types of paid educational leave schemes in order to permit a choice taking into account the cost of such schemes.

El Salvador. The ILO should provide information concerning experience in other countries.

Iraq. The instrument should provide for the worker's right to return to his employment before the leave at a salary commensurate with his new skill, the leave period to be considered as actual service, as well as his right to transfer from his previous job to any other job which would fit his qualifications and secure him better rights.

New Zealand. Research studies showing the profitability of granting paid educational leave should be brought to the attention of employers.

Sweden. The instrument should emphasise the importance of adjusting the community's educational resources to the needs and demands of adults in respect of teaching methods, content, forms and time schedules. It is also of importance that opportunities for adult education should be expanded to meet the demand that may result from the introduction of paid educational leave.

United Kingdom. There might be a place for suggested incentives to employers to grant paid educational leave.

(1) As regards conditions for granting paid educational leave, do you consider that it would be desirable to set out suggestions concerning— **Qu. 27**

(a) *categories of workers, or occupations or functions, which might be given priority in the granting of paid educational leave by reference to their particularly urgent education or training needs ;*

(b) *conditions on which the eligibility for paid educational leave might be made dependent (such as length of service in the undertaking, suitability, including the existing qualifications of the candidate, etc.) ;*

(c) *the considerations by reference to which the terms on which leave is granted may be varied (such as the nature and the purpose of the*

[1] See under question 23. [2] See under question 1.

education or training, the time needed to attain the qualifications aimed at, etc.) ;

(d) *the possibility of postponement of leave for a limited time, where the absence during a particular period of a worker otherwise eligible for paid educational leave is liable to prejudice the production or operation of the employing undertaking ;*

(e) *the duration of paid educational leave ;*

(f) *circumstances of which account should, as far as possible, be taken in determining financial entitlements during paid educational leave (such as fees payable for education or training, travel expenses and additional housing costs, etc.) ;*

(g) *the form of financial entitlements (such as continued payment of remuneration, scholarships, fellowships or other study subsidies, etc.) ;*

(h) *the possible requirement that the worker remain in the employment of the undertaking for a specified period following the completion of the education of training, where the financial entitlements are provided by the employer?*

(2) Do you have any particular comments regarding these points?

Total number of replies : 50.

Affirmative : 32. Algeria *, Argentina *, Bulgaria, Burundi *, Colombia, Cyprus, Czechoslovakia, Egypt *, El Salvador *, Ethiopia, Finland, Ghana *, Greece, Hungary, Iraq, Ireland *, Kenya, Libyan Arab Republic, Malawi *, Malta, Mexico [1], Morocco, Nigeria *, Norway *, Pakistan, Romania, Senegal *, Spain *, Sudan, Syrian Arab Republic, Tunisia, Upper Volta *.

Negative : 7. Malaysia *, Netherlands [2], New Zealand *, Singapore *, Switzerland *, Trinidad and Tobago, Venezuela *.

Other : 11. Austria *, Byelorussian SSR *, Central African Republic *, Dahomey [3], France *, Federal Republic of Germany [4], Khmer Republic [4], Sweden *, Ukrainian SSR *, USSR *, United Kingdom *.

Algeria. (1) *(a)* Yes. It is only each member State which can decide the priorities for education and training according to national requirements.

(b)-(h) Yes.

Argentina. (1) *(a)* Yes. This depends on national requirements taking into account socio-economic development at national and regional level.

(b)-(h) Yes.

* Substance of observations reproduced below.

[1] Negative to *(h)*. [2] See under question 1. [3] Affirmative to *(b)*, *(d)*, *(f)*, *(g)*; negative to *(a)*, *(c)* and *(e)*. [4] See under question 23.

Austria. (1) *(a)-(e)* Yes.

(f)-(g) Circumstances taken into account in determining financial entitlements as well as the form of the latter should be a matter of internal regulations.

(h) This question necessarily leads to opposing viewpoints on the part of employers and workers. It would therefore be expedient to exclude this suggestion.

Burundi. (1) Yes.

(2) Proposals should be made regarding ways of supervising the assiduity of beneficiaries of paid educational leave.

Byelorussian SSR. (1) *(a)-(b)* Such suggestions should not be formulated. First of all, this would place various categories of workers in a situation of inequality, and secondly, national legislation should provide the right to paid educational leave to all citizens without exception.

(c) and *(e)-(h)* Yes.

(d) Any postponement in the granting of paid educational leave should be acceptable only with the agreement of the worker concerned.

Central African Republic. (1) *(a)* No, since priorities vary from country to country.

(b) Account should be taken in particular of suitability and skills as conditions of eligibility.

(c)-(d) and *(f)-(g)* Yes.

(e) Yes, the minimum duration should be established.

(h) A financial contribution of the employers is justified only under this condition.

Egypt. (1) *(a)-(c)* and *(e)-(h)* Yes.

(d) Paid educational leave should not be postponed if this is liable to prejudice the worker whose promotion may depend on his training. The same holds true for trade union training if, through postponement, the candidate loses the opportunity of standing for election to office.

El Salvador. (1) *(a)* Account should be taken of national and regional needs as well as of the requirements of the undertaking.

(b)-(g) Yes.

(h) Yes, so that the undertaking may benefit from the knowledge he has acquired.

France. (1) *(a)* It does not seem desirable to stress priority.

(b)-(c) The conditions should be very few in number and not very restrictive.

(d)-(g) Yes.

(h) This suggestion is not desirable as it limits the scope of the proposed instrument.

Ghana. It is desirable to set out the various suggestions mentioned, but these should be designed to guide the tripartite national body suggested in the reply to question 22.

Ireland. (1) *(a)* Yes. Suggestions concerning the special position of women who return to employment should be included.

(b)-(g) Yes.

(h) Not a requirement to remain in a particular employment; however, a suggestion as to an appropriate arrangement in the event of a worker leaving that employment would be helpful.

Malawi. (1) *(a)-(g)* Yes.

(h) Generally yes, but each case has to be treated on its own merits.

Malaysia. (1) *(a)* No. This should be left to the discretion of the undertakings.

(b)-(h) No.

(2) Conditions for granting paid educational leave should be left to the individual undertakings.

New Zealand. (1) No.

(2) The Government does not consider that the instrument should set out suggestions regarding conditions for granting paid educational leave, since these matters need to be left for each member State to determine in accordance with national conditions and practice.

Nigeria. (1) Yes. It would be necessary to incorporate these suggestions in the instrument as a guide to Members who may wish to benefit from the provisions of the instrument.

Norway. (1) *(a)-(d)* and *(f)-(h)* Yes.

(e) Yes, taking into account that the duration of paid educational leave naturally varies in practice.

(2) The Government has doubts as to whether a possible Convention should contain detailed provisions. It seems to be preferable to leave the more detailed provisions to the Recommendation.

The Norwegian Employers' Confederation has stressed that these questions should be the subject of negotiations between the organisations of employers and the workers.

Regarding clause *(d)*, the Norwegian Trade Union Federation has replied in the affirmative, but points out that disputes regarding postponement should be settled by an impartial body without any expense for the workers concerned.

Senegal. (1) Yes. All these suggestions should be mentioned in order to serve as guidelines to member States.

Singapore. (1) It would be best to leave this to the individual countries as they are in a better position to determine their own objectives and levels of development.

Spain. (1) *(a)-(c)* and *(e)-(g)* Yes.

(d) There should be every guarantee that the worker may take his leave at a later date, for instance by means of official approval of the leave by the public authorities.

(h) There should be a proviso that remaining in the undertaking after training will not be detrimental to the skills the worker acquired during training.

Sweden. (1) *(a)* It is doubtful whether internationally applicable criteria can be drafted. However, the need to give priority in education to, for example, the poorly educated and those threatened by unemployment has already been pointed out.

(b)-(c) and *(h)* No.

(d) Yes.

(e) No, the basic principle should be to grant the leave necessary in each individual case.

(f) The principle should be to provide such financial support as will permit the person in question to study.

(g) Different forms of financial support are both possible and suitable for different types of study. The forms under which economic support is offered must be adapted to national conditions.

(2) The instrument should stress that several of the points raised should be decided by employers' and workers' organisations, centrally, by sectors, or locally. In making such decisions, both parties should enjoy equal status.

Switzerland. (1) *(a)* The question arises as to who determines the categories of workers, occupations or functions which might be given priority. This suggestion should not be included, since it implies too great an interference on the part of the central authorities, incompatible with this country's concept of individual freedom.

(e) The duration of paid education leave is too variable to be included in a general instrument.

Ukrainian SSR. (1) *(a)* The formulation of suggestions concerning the conditions for granting paid educational leave giving priority to various categories of workers, occupations or functions, would create a situation of inequality and thereby introduce an element of discrimination.

(b) The right to paid educational leave should be granted to all citizens without exception or without special privilege. Consequently, it is not desirable to formulate suggestions concerning the conditions upon which the right to paid educational leave might depend.

(c) and *(e)-(h)* Yes.

(d) Utmost caution should be exercised regarding suggestions concerning the possibility of postponement of educational leave which should be limited to a strictly specified period of time.

USSR. (1) *(a)* It would not seem desirable to set out suggestions concerning priority in the granting of paid educational leave, as this could put different groups of workers in a situation of inequality.

(b) No, because national legislation should grant this right to all persons without any exception.

(c) and *(e)-(h)* Yes.

(d) In setting out the suggestions concerning the possibility of postponement of the leave, it should be mentioned that any postponement of paid educational leave is allowed only with the consent of the worker concerned.

United Kingdom. (1) *(a)* Such a statement would have to be so general as to be hardly meaningful. If suggestions included particular categories they would vary with time and place.

(b) Here again any statement would have to be too general—conditions are bound to vary with local and national circumstances and might have to reflect attempts to control the rate of growth of new demands on resources.

(c)-(g) Yes, bearing in mind that many of the matters covered are dealt with by collective bargaining in many countries, including the United Kingdom.

(h) This is essentially a matter for negotiation by collective bargaining.

Upper Volta. (1) *(g)* The form of financial entitlement would essentially be continued payment of remuneration.

Venezuela. No. The suggestions set out in this question should be an internal matter for each member State, according to national methods and practices.

Most of the governments replied in the affirmative to the question as a whole and corresponding provisions have therefore been included in the Proposed Conclusions *(Annex, Points 6-11)*. It may be mentioned that a number of governments raised objections, for various reasons, to individual clauses; in this connection the Office has deemed it preferable to leave the final decision to the Conference. It may also be noted that Points 6 to 8 of the Annex are purely illustrative and that their clauses have not been arranged in any special order of preference.

Do you have any other suggestions regarding conditions for the granting of paid educational leave? **Qu. 28**

The substance of the six affirmative replies received is reproduced below.

Greece. The payment of remuneration should be made at short intervals during training. If trainees decide to discontinue or to return to work, the employment contract should be cancelled and appropriate action should be taken.

Malta. In Malta paid educational leave is allowed only in special cases and on a voluntary basis by certain employers; there is no relevant legal obligation, nor has the system been introduced by any wages council or collective agreement. While it would be difficult to envisage legislative action on the matter in the foreseeable future, the Government will strive to create the right conditions which would encourage employers to grant paid educational leave wherever possible.

New Zealand. Recognition could be made of the existence of prejudice regarding the release of certain groups of workers—e.g. women workers, for paid educational leave and the need for persons to be considered according to their individual merits, rather than on any general considerations such as sex, age or race.

Norway. The Government states that according to the Norwegian Trade Union Federation it would be desirable that the instrument should stipulate that trade union education ought to take place within trade unions.

Singapore. With regard to the suggestions concerning the conditions for granting paid educational leave, the willingness of the worker to improve himself and also his general suitability for the form of educational leave taken constitutes two of the important conditions for the grant of paid educational leave.

Sweden. The instrument should also provide for the principle that the worker, following his period of education or training, should be given employment and wage benefits which should not be less advantageous than those he had prior to the leave.

PROPOSED CONCLUSIONS

The following are the Proposed Conclusions which have been prepared on the basis of the replies from governments summarised and commented upon in the preceding section. They have been drafted in the usual form and are intended to serve as a basis for discussion by the Conference of the sixth item on the agenda of its 58th (1973) Session.

I. Form of International Action

1. (1) An international instrument on paid educational leave should be adopted.

(2) This instrument should take the form of a Recommendation.

II. Preamble

2. The proposed instrument should refer, in its Preamble, to the provisions contained in existing international labour Recommendations on vocational training and the protection of workers' representatives concerning the temporary release of workers, or the granting to them of time off, for participation in education or training programmes, and should suggest that the need for lifelong education and training related to scientific and technological development and the changing pattern of economic and social relations call for an adequate regulation of leave for education and training.

3. It should further be recognised in the Preamble that paid educational leave is not a substitute for adequate education and training early in life and that it is only one of a variety of means for continuing education and training which are affected also by general policies on hours of work.

III. Formulation of Policy

4. With a view to facilitating the continuing extension and adaptation of the educational attainments and occupational skills of workers, each Member should declare and pursue a policy designed to promote, by methods appropriate to national conditions and practice and by stages as necessary, the granting of paid educational leave.

5. That policy should be designed to contribute—

(a) to the social and cultural advancement of workers;

(b) to the acquisition, improvement and adaptation of occupational and functional skills, and the promotion of employment and job security in conditions of scientific and technological development and economic and structural change;

(c) to the active and informed participation of workers and their representatives in the life of the undertaking and of the community; and

(d) generally, to the promotion of appropriate lifelong education and training facilitating the adjustment of workers to contemporary requirements.

6. (1) The policy should take account of the stage of development and the particular needs of the country and of different sectors of activity, and should be co-ordinated with general policies regarding employment, education and training as well as those regarding hours of work.

(2) It should be regarded as an essential element of human resources development, and as an investment in the interest of the workers, the employers and the community as a whole.

IV. Measures for Promotion of Paid Educational Leave

7. The public authorities, employers' and workers' organisations, and institutions or bodies providing education and training should be associated, in a manner appropriate to national conditions and practices, with the formulation and application of the policy for the promotion of paid educational leave.

8. Measures should be taken, on the basis of plans adapted to the aims of the policy—

(a) to make full use of all available education and training facilities, and to establish such new facilities as may be required to meet the education and training purposes of paid educational leave;

(b) to take account in teaching methods and education and training programmes of the objects and modalities of paid educational leave, which reflect new needs;

(c) to provide workers with incentives to take the greatest advantage of education and training facilities available to them;

(d) to encourage employers to grant paid educational leave to workers.

9. There should be adequate systems of information and counselling regarding possibilities of paid educational leave.

10. Special provisions concerning paid educational leave should be established where particular categories of workers, such as workers in small undertakings, shift workers or women with family responsibilities, find it difficult to fit into general arrangements.

V. Financing

11. The financing of arrangements for paid educational leave should be on a regular and adequate basis.

12. It should be recognised that public authorities, employers, collectively or individually, workers' organisations and education or training institutions or bodies may be expected to contribute to the financing of paid educational leave according to their respective responsibilities.

VI. Conditions for Granting of Paid Educational Leave

13. Paid educational leave should be available to workers without discrimination.

14. (1) In determining conditions of eligibility and methods of selection for paid educational leave, as well as modalities of remuneration, account should be taken of the types of education or training programmes available and of the requirements of the employing undertakings, as well as of the needs of the workers and their organisations and of the public interest.

(2) These conditions, methods and modalities may vary according to whether paid educational leave is intended for—

(a) general, social or civic education;

(b) training at any level; or

(c) trade union education.

(3) As regards paid educational leave for trade union education, the workers' organisations concerned should have the final responsibility for selection of candidates as well as approval of programmes.

15. As required by national circumstances, priority in the granting of paid educational leave should be given to pa ticular categories of workers or particular occupations or functions, which have especially urgent education or training needs.

16. During paid educational leave workers should receive compensation for loss of earnings as well as any social benefits to which they may have been entitled prior to the leave.

17. A period of paid educational leave should be assimilated to a period of effective service for the purpose of establishing claims to social benefits as well as to other rights deriving from the employment relationship.

VII. Suggestions Concerning Methods of Application

18. In applying the provisions of the instrument, each Member of the International Labour Organisation, employers' and workers' organisations, and other institutions and bodies concerned should be guided, to the extent possible and desirable, by the suggestions concerning methods of application set forth in the Annex.

ANNEX

Suggestions concerning Methods of Application

I. Measures for Promotion of Paid Educational Leave

1. (1) In pursuance of Point 7 above there should be consultation among those concerned on questions concerning paid educational leave and full co-operation in the operation of arrangements relating thereto.

(2) Such consultation and co-operation should take place at all appropriate levels, national, local or industrial.

(3) Representative bodies such as those envisaged in Paragraph 5 of the Vocational Training Recommendation, 1962, may provide a suitable means for such consultation and co-operation.

(4) It may be appropriate, at the level of the undertaking, to associate a joint body with the operation of systems of paid educational leave.

2. There should be close co-operation between the authorities and bodies concerned with paid educational leave and the authorities responsible for approving, providing or supervising education and training programmes and facilities.

3. (1) The authorities and bodies participating in the planning and operation of systems of paid educational leave should collect and disseminate, on a continuing basis, information regarding possibilities of paid educational leave.

(2) The information might relate to such matters as the following:

(a) changes in techniques and job specifications, and openings available on the basis of new skills, or of existing skills brought up to date, increased or deepened;

(b) education and training programmes available, and the institutions or other bodies providing them;

(c) the conditions for obtaining paid educational leave;

(d) the amount and form of financial support given during leave.

4. The competent authorities should ensure that counselling is available for all candidates for paid educational leave.

5. All possible measures should be taken to enable workers who have taken paid educational leave to make subsequent use of the knowledge or skills acquired.

II. Conditions for Granting of Paid Educational Leave

6. Priority in pursuance of Point 15 above might be established, according to national needs and practices, for such categories of workers, or such occupations or functions, as the following:

(a) young workers under a specified age who, prior to entry into employment, received education and vocational training falling short of limits determined by the competent authority;

(b) members, officers and leaders of youth and educational extension movements;

(c) workers liable to be laid off as a result of a reduction of workforce, or dismissed following the merger of undertakings;

(d) migrant workers insufficiently adapted to the economic and social patterns of the receiving country;

(e) sectors of activity or occupations in which changes in techniques and skill requirements are particularly rapid.

7. Eligibility for paid educational leave may, according to the nature and purpose of the education or training, be made dependent on such conditions as—

(a) the age of the candidate;

(b) the length of service of the candidate in the undertaking;

(c) the suitability, including the existing qualifications, of the candidate;

(d) the importance of the education or training for the undertaking, or the community;

(e) the effects of absence on the operation of the undertaking;

(f) as regards trade union education, membership in an occupational organisation.

8. The terms on which leave is granted may vary with—

(a) the nature and purpose of the education and training;

(b) the time needed to attain the qualification aimed at;

(c) the place where programmes are provided, and the institution or body providing them;

(d) the importance of the education or training for the worker concerned, for his present or future employer or for the community.

9. Where the absence during a particular period of a worker otherwise eligible for paid educational leave is liable to prejudice the production or operation of the employing undertaking, the grant of leave may be postponed for a limited time.

10. (1) In determining the duration of paid educational leave full account should be taken of the requirements of different education and training programmes, and the institutions and bodies providing them.

(2) Where a limit is placed on the amount of paid educational leave which can be taken in any one year, it should be possible to cumulate entitlements on conditions to be specified in each country.

(3) It should be possible to take paid educational leave full time, part time, on day release or block release, or in any other appropriate manner.

11. (1) In determining financial entitlements during paid educational leave, account should, as far as possible, be taken of the cost of living at the place where courses are provided; of fees payable for education or training; and of travel expenses and other additional costs, such as housing.

(2) The financial entitlements may take the form of—

(a) continued payment of remuneration;

(b) scholarships, fellowships or other study subsidies;

(c) lump-sum allowances;

(d) special systems of training insurance;

(e) loans.

(3) Where the financial entitlements are provided by the employer, they may be accompanied by a requirement that the worker remain in the employment of the undertaking for a specified period following the completion of the education or training for which leave was granted.